

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TAMER HOSNY,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:13-CV-4103
)	
ALIAUNE THIAM, P/K/A "AKON," and)	
TARIK FREITEKH,)	
)	
Defendants.)	
_____)	

DEPOSITION OF TAREQ FREITEKH, a defendant herein,
noticed by Patel Burkhalter Law Group, taken at
6055 East Washington Boulevard, Los Angeles,
California, at 2:05 p.m., on Friday, May 22, 2015,
before Diane M. Lytle, CSR 8606.

Hutchings Number 571670

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I N D E X

WITNESS: TAREQ FREITEKH

EXAMINATION:	PAGE
MS. EWING	5, 143
MR. JERISAT	140

E X H I B I T S

Exhibit identification within the transcript is flagged with "(EXHIBIT)" as an identifier.

PLAINTIFF	DESCRIPTION	IDENTIFIED	MARKED
1	Printout of text messages (EXHIBIT 1)	36	149
2	Copy of color photograph (EXHIBIT 2)	52	149
3	Internet printout entitled "Akon and Tarik talking about the next project with the Legend Tamer Hosny" (EXHIBIT 3)	53	149
4	Copies of photographs (EXHIBIT 4)	55	149
5	Copy of color photograph (EXHIBIT 5)	58	149
6	Test messages (EXHIBIT 6)	59	149
7	Emails dated 2-23-13 and attachment (EXHIBIT 7)	86	149

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E X H I B I T S (Continued)

PLAINTIFF	DESCRIPTION	IDENTIFIED	MARKED
8	Emails dated 4-8-13 and 4-9-13 and attachments (EXHIBIT 8)	91	149
9	Emails dated 3-11-13 and 3-10-13 and attachment (EXHIBIT 9)	93	149
10	Email dated 4-9-13 and attachment (EXHIBIT 10)	97	149
11	Declaration of Tarik Freitekh Pursuant to 28 U.S.C. Paragraph 1746 (EXHIBIT 11)	104	149
12	Amended Declaration of Tarik Freitekh Pursuant to 28 U.S.C. Paragraph 1746 (EXHIBIT 12)	113	149

Questions the witness refuses to answer are indicated in the transcript by a "(QUES)" identifier at the end of the question and are located on the following page(s): 103, 104

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TAREQ FREITEKH,
a defendant herein, having been sworn, testifies as
follows:

-EXAMINATION-

BY MS. EWING:

Q. Hi. We met briefly --

A. Yeah.

14:05 Q. -- in the break room. My name is Melissa
Ewing. I'm an attorney here taking your deposition on
behalf of the plaintiff, Tamer Hosny, in this case.

A. Nice to meet you.

Q. If you don't mind, how do you pronounce your
14:05 last name?

A. Freitekh.

Q. Freitekh?

A. Yeah.

Q. Could you state your full name for the record,
14:05 please.

A. Tareq Freitekh.

Q. And could you spell your first and last name.

A. Tareq, T-a-r-e-q, Freitekh, F-r-e-i-t-e-k-h.

Q. And what's your current address where you live?

14:05 A. I live in L.A. here. 3343 North Knoll,

1 14:06 K-n-o-l-l, Drive, 90068.

2 Q. Okay.

3 And have you ever been deposed before?

4 A. No, first time.

5 14:06 Q. Okay.

6 I'll go through a few sort of ground rules just to
7 give you, you know, some idea about what to expect and
8 let you know if any time during the deposition you have
9 a, you know, question or if you need to take a break to

10 14:06 use the restroom, just let me know or the court reporter
11 know, and we'll be sure to accommodate you.

12 A. Okay.

13 Q. And be happy to rephrase a question if I
14 haven't asked it in the right way.

15 14:06 A. Sounds good.

16 Q. And one thing is, we have a court reporter here
17 with us today, and she's going to be recording
18 everything that is said. She won't be able to record,
19 you know, "uh-huh" or --

20 14:06 A. So it has to be "yes."

21 Q. -- body language, so you need to answer
22 vocally.

23 A. Of course.

24 Q. And try not to speak over me, and I'll try not
25 14:07 do the same --

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1 14:07 A. Sure.

2 Q. -- and interrupt you.

3 Again, if you have any questions about one of my
4 questions, be sure to ask me to clarify or repeat, you

5 14:07 know. The idea is to make sure that, you know, you
6 don't leave here today with any confusion about what we
7 talked about.

8 A. Of course.

9 Q. I mean, if there's anything you need to clarify
10 14:07 during the deposition that you said earlier, be sure and
11 let me know.

12 Also, let me know if you need to take a break, as
13 long as there's not a question pending, we can take a
14 brief pause.

15 14:07 A. For sure.

16 Q. Is there any reason today that you cannot
17 provide, you know, full testimony?

18 Is anything hindering you?

19 A. No.

20 14:07 Q. Are you under any medication?

21 A. No.

22 Q. Are you, you know, otherwise competent to sit
23 here today and testify --

24 A. Yes.

25 14:07 Q. -- fully and truthfully?

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1 14:07 A. Yes.

2 Q. And you understand that you're under oath,
3 which means you agree you'll tell the truth?

4 A. Yes.

5 14:08 Q. Okay.

6 Just a few, you know -- Just kind of start with
7 some background information about you.

8 Are you -- You're a video producer; is that right?

9 A. I'm a record label owner.

10 14:08 Q. Okay.

11 What's the name of your record label?

12 A. World Music.

13 Q. Okay.

14 How long have you been an owner of World Music?

15 14:08 A. Since 2014.

16 Q. Since 2014?

17 A. Uh-huh.

18 Q. Are there any other owners?

19 A. Mostafa Srour. He's my business partner.

20 14:08 THE REPORTER: Could you spell that name.

21 THE WITNESS: M-o-s-t-a-f-a, Srour, S-r-o-u-r.

22 And I have another music label called 3343. I have
23 business owner.

24 MS. EWING:

25 14:09 Q. Okay.

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1 14:09 A. You want the names?

2 Q. I do.

3 A. Raja Kumara.

4 THE REPORTER: You're going to have to spell these
5 14:09 names.

6 THE WITNESS: Raja, R-a-j-a, Kumara, K-u-m-a-r-a.

7 MS. EWING:

8 Q. And what is that person, a co-owner, what's the
9 title?

10 14:09 A. Yeah, three of us. And Nelson. Troels,
11 T-r-o-e-l-s, Nelson.

12 Q. Okay.

13 And so for World Music, there's two owners, you
14 being one of them, and that started in 2014?

15 14:09 A. Uh-huh.

16 Q. When did the 3343 start?

17 A. 34- -- 3343 started 2014 as well.

18 Q. Okay.

19 Prior to 2014, did you own any companies?

20 14:09 A. No. I was student.

21 Q. A student?

22 A. Uh-huh.

23 Q. Where were you a student?

24 A. At the Art Institute of Charlotte.

25 14:10 Q. And what years were you there?

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1 14:10 A. I graduated in 2013.

2 Q. Did you get a degree when you graduated?

3 A. Yeah. Bachelor of Arts in digital film making
4 and music production.

5 14:10 Q. So if you had to today like characterize what
6 your profession is or what your job is, how would you
7 describe it?

8 A. Label owner. Decision-making, mostly --

9 Q. Okay.

10 14:10 A. -- between records.

11 Q. Okay.

12 And in late 2012, 2013, how would you have
13 described what you were doing at that time --

14 A. I was --

15 14:11 Q. -- other than being a student?

16 A. I was a student mostly and working on few
17 projects for school.

18 Q. Okay.

19 Were you directing videos at that time?

20 14:11 A. Yeah, directing, producing, making music too.

21 Q. Okay.

22 At the time, did you have any labels that you were
23 representing or artists?

24 A. No.

25 14:11 Q. Okay.

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1 14:11 Do you write any songs?

2 A. No -- I do, but nothing published.

3 Q. Okay.

4 Can you name the videos that you've worked on?

5 14:11 A. I did Tamer Hosny feature Shaggy in 2011. That
6 was one of my first projects. I did Tamer Hosny feature
7 Snoop Dogg in 2012. I did Akon feature Laurianne
8 Gibson. And let me see. Another project, Haifa Wehbe.
9 She's a --

10 14:12 THE REPORTER: One more time.

11 MR. JERISAT: Spell that.

12 THE WITNESS: H-a-i-f-a, last name Wehbe,
13 W-e-h-b-e. That was recent. That was the last video we
14 release.

15 14:12 MS. EWING:

16 Q. So that was in -- Was that 2015?

17 A. That's 2015.

18 Q. Okay.

19 When was the Laurianne Gibson/Akon video?

20 14:12 A. That was 2014.

21 Q. Okay.

22 A. Excuse me. 2013.

23 Q. 2013?

24 A. Yeah. I'm sorry.

25 14:12 Q. Okay.

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1 14:12 Are those the only videos that you've worked on?

2 A. I worked on other videos for local artists, but
3 these are the -- like the biggest, I can say.

4 Q. When you say "local," what do you mean by

5 14:12 "local"?

6 A. Like, you know, I have a lot of artists, new
7 artists.

8 We also did the video for Akon featuring Pitbull
9 and Tamer. That day, also we shot the video. We shot a
10 14:13 whole video.

11 Q. You're talking about "Welcome to the Life"?

12 A. No, that's "Arabian Knight." But Akon was
13 there and Tamer.

14 Q. And you worked on "Arabian" -- I'm sorry.

15 14:13 You worked on "Welcome to the Life" as well?

16 A. I helped on "Welcome to the Life."

17 Q. And sorry if I interrupted you, but you were
18 talking about local artists that you helped with their
19 videos?

20 14:13 A. Yeah. There's an artist called DeCarlo. We
21 did a song called "Dreamland." I'm trying to remember.
22 What else?

23 We did commercials. That's as far as I remember.
24 Anything comes up, I'll let you know.

25 14:14 Q. Okay.

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1 14:14 And when you said "local," where is DeCarlo?

2 A. DeCarlo in L.A.

3 Q. So when you say "local," you mean L.A.?

4 A. L.A., yeah, California.

5 14:14 Q. Okay.

6 You had a connection with View or View Productions
7 in 2013; correct?

8 A. View Production is a company owned by friend.
9 His name is Thien La.

10 14:14 THE REPORTER: Can you spell that.

11 THE WITNESS: T-h-i-e-n, and last name L-a.

12 MS. EWING:

13 Q. But you did have a connection with them in
14 2013?

15 14:15 A. I was helping them.

16 Q. So your answer is yes?

17 A. Yes.

18 Q. Okay.

19 In what capacity? Like how were you helping them?

20 14:15 A. If they need locations, you know, if they need
21 crew. If they need, you know, directors, I can, you
22 know, freelance as a director. If they need producer, I
23 can do that. I'm a freelancer, you know.

24 Q. Okay.

25 14:15 Did they pay you money?

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1 14:15 A. No -- View?

2 Q. View.

3 A. North Carolina, you know, I was student at that
4 time.

5 14:15 Q. Okay.

6 A. So most of my work with View was help and
7 getting experience. No.

8 Q. Is View Production based in North Carolina?

9 A. I believe so.

10 14:16 Q. Who did you deal with there?

11 A. Thien.

12 Q. Okay.

13 Is he in North Carolina?

14 A. He's in North Carolina.

15 14:16 Q. Okay.

16 Is he the owner?

17 A. He is.

18 Q. Okay.

19 Any other companies that you've worked with?

20 14:16 A. I helped with, you know -- We set an account
21 for Music Buzz, but I've never -- we never continued.
22 My business partner left the country at that time.

23 Q. Okay.

24 Was that --

25 14:16 A. Wael.

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1 14:16 Q. Okay.

2 A. It's another company that -- It never
3 started -- It started, never continued kind of.

4 Q. Okay.

5 14:16 And you said Wael was the partner?

6 A. Wael, yeah, W-a-e-l.

7 Q. Okay.

8 And were you part owner in that, or how -- what was
9 your relationship?

10 14:16 A. The structure was 50-50, but we never put it on
11 paper.

12 Q. Okay.

13 A. So it was never finalized.

14 Q. What about -- I forget the name of it --

15 14:17 Starbuzz?

16 A. Starbuzz Entertainment is another company that
17 I structured with -- this is the same company, Music
18 Buzz.

19 Q. Okay.

20 14:17 A. But then we decided to change it to Starbuzz
21 because Wael owns Starbuzz. And it never happened, same
22 situation. So Starbuzz Entertainment is Music Buzz.

23 Q. Okay.

24 A. But the name -- we changed the name and never
25 14:17 happened.

1 14:17 Q. So Starbuzz Entertainment never --

2 A. Is Music Buzz.

3 Q. Has it ever done anything?

4 A. No, we haven't done any work.

5 14:17 Q. Is it -- Do you have like a Facebook page for
6 it?

7 A. Yes.

8 Q. Okay.

9 A. Actually, there is Facebook page.

10 14:18 Q. Have you ever made a web site to promote
11 Starbuzz Entertainment?

12 A. No.

13 Q. Have you ever done a video for Starbuzz
14 Entertainment?

15 14:18 A. No.

16 Q. Have you -- So what has -- To the extent
17 Starbuzz -- Is Starbuzz Entertainment still an existing
18 company?

19 A. No.

20 14:18 Q. No?

21 A. No.

22 Q. When did it disband?

23 A. 2000 -- By the end of 2014.

24 Q. Okay.

25 14:18 A. It never really did any projects,

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1 14:18 unfortunately.

2 Q. Okay.

3 When did you all start the idea and discussing it?

4 A. We started it about -- around March 2013.

5 14:18 Q. Okay.

6 Was this also 50-50, just like --

7 A. Yeah.

8 Q. -- Music Buzz had been?

9 A. Uh-huh.

10 14:18 Q. So essentially, it was Music Buzz, but it
11 became known later as Starbuzz Entertainment?

12 A. Yes.

13 Q. Okay.

14 Did you ever have any studio space or sign anyone
15 14:19 to Starbuzz Entertainment?

16 A. No. We have studio space, but we didn't sign
17 anybody. I have a -- a studio space in my house.

18 Q. Okay.

19 So you said you had a studio space in your house.

20 14:19 Is this the address that you gave at the beginning
21 of the deposition?

22 A. Uh-huh.

23 Q. How long have you had that?

24 A. It's been -- We got it in the beginning of

25 14:19 2013, but I officially start, you know, moving in

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1 14:19 June -- around June 2013.

2 Q. Okay.

3 A. But I got it since the beginning of 2013.

4 Q. Okay.

5 14:19 Do you have any other studio space?

6 A. No.

7 Q. Do you ever rent studio space?

8 A. No. It's too expensive.

9 Q. Okay.

10 14:20 In 2013, when -- you were a student and you were
11 freelancing for View Productions?

12 A. Other companies too.

13 Q. Who else were you freelancing for?

14 A. You know, anybody needs my help. I'm student.

15 14:20 Let me try and remember if I helped. I helped Down Home
16 Films, owned by Christian Simpson and Dustin Pejj,
17 P-e-j-j.

18 Q. You said Dustin --

19 A. Yeah, Pejj.

20 14:20 Q. -- Pejj, and that was Down Home?

21 A. Down Home Films, based in Charlotte,
22 North Carolina. They went to school with me too. But
23 they are, like, here more.

24 Q. Okay.

25 14:20 Did you have anyone else that you freelanced for in

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1 14:21 2013?

2 A. Yeah. On the Laurianne/Akon project, I
3 freelanced. Forgive me a second. Let me try to
4 remember the company's name. The owner name is James.

5 14:21 I don't remember the name of the company.

6 Q. Was this -- Where was this? Is this Charlotte?

7 A. No, that's in California.

8 Q. Okay.

9 Do you remember the name of the project or an

10 14:21 artist?

11 A. Yeah. It's Akon featuring Laurianne Gibson.

12 Q. Okay.

13 A. Yeah, that's the project, Playa Vista.

14 Q. Playa Vista?

15 14:21 A. Playa Vista.

16 Q. Okay.

17 Before your L.A. address, the address that you gave
18 at the beginning of the deposition --

19 A. Uh-huh.

20 14:22 Q. -- where did you live prior to that?

21 A. I stayed with my parents in Charlotte,
22 North Carolina for four years.

23 Q. Okay.

24 And that was the four years before you moved to

25 14:22 California?

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1 14:22 A. I -- Yes.

2 Q. Okay.

3 Were you there during school --

4 A. Yeah.

5 14:22 Q. -- as well?

6 A. Yeah.

7 Q. Okay.

8 Do you have any relatives in Georgia?

9 A. No.

10 14:22 Q. How long have you been in the U.S.?

11 A. Since 2007.

12 Q. And where were you before then?

13 A. Israel.

14 Q. Israel, is that where you were born?

15 14:22 A. Yes.

16 Q. And what's your connection with Riveting

17 Entertainment?

18 A. The owner of the Riveting is a close friend of

19 mine. Also, I'm close friends with Chris Brown. He's

20 14:23 an artist and director at Riveting Entertainment.

21 Q. Have you done any projects for Riveting

22 Entertainment, whether it be freelance or otherwise?

23 A. I hired them for the Haifa project.

24 Q. Okay.

25 14:24 Did World Music exist before 2014?

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1 14:24 A. No.

2 Q. Did you have any other record label before
3 2014?

4 A. No.

5 14:24 Q. Okay.

6 Tell me when you met Akon.

7 A. When?

8 Q. Yeah, how you met Akon.

9 A. I met Akon in 2010 in the studio.

10 14:24 Q. Where? In what studio?

11 A. Miami. I think it's called 26 or something.
12 Studio 26 in Miami. I have to double-check on the name,
13 though.

14 Q. Can you tell me more about the circumstances
15 14:24 about the meeting?

16 Were you all working together, or are you friends?

17 A. Yeah. I'm friends with Shakira. And he passed
18 by -- I was in the studio with her, and we were
19 recording -- they were recording a song. And this is
20 14:25 how we talked. And, you know, we exchanged numbers.

21 Q. Okay.

22 Have you all kept up, you know, a relationship
23 since then?

24 A. Yeah, yeah.

25 14:25 Q. Okay.

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1 14:25 A. Mostly when he comes to Miami, I see him.

2 Other than that, I think I've seen him once in
3 California and that was it.

4 Q. And you've seen him more than once in Georgia?

5 14:25 A. Yeah, yeah. That was -- He invited me on
6 Christmas Eve in 20-- the end 2012. And I saw him
7 when we shot the video. That was the only two times
8 I've seen him.

9 Q. Okay.

10 14:25 Where did you -- Did you stay at his house when you
11 visit him Christmas Eve?

12 A. Yeah, I went to his house.

13 Q. How many days were you there?

14 A. It was only few hours. I drove from Charlotte
15 14:26 to his house with another friend. So about four hours'
16 drive.

17 Q. Okay.

18 Did you spend the night?

19 A. No.

20 14:26 Q. Did you go out to dinner?

21 A. Dinner, no. We ate at his house.

22 Q. Okay.

23 Did you go to any social outings?

24 A. Social? No.

25 14:26 But I parked my car in front of the Ritz-Carlton,

1 14:26 and he dropped me there. And we stayed there for, like,
2 five minutes, maybe ten minutes, said goodbye and I
3 left. I got in my car.

4 Q. Does Akon have a studio -- recording studio at
5 14:26 his house?

6 A. In Atlanta?

7 Q. In Atlanta.

8 A. I didn't see it.

9 Q. Okay.

10 14:26 I've seen a video that was posted from your trip
11 around Christmastime --

12 A. Uh-huh.

13 Q. -- and it looks like you all are in some type
14 of studio. I don't know if it's recording studio.

15 14:27 Where would that have been?

16 A. That's the Ritz-Carlton.

17 Q. That's the Ritz-Carlton?

18 A. Yeah. That's the reception of the
19 Ritz-Carlton.

20 14:27 Q. Do you know which video I'm talking about?

21 A. Yeah. I posted the video. Yeah, I know which
22 video.

23 Q. Can you tell me what that video -- Do you
24 recall, like, what is said?

25 14:27 A. What the video said?

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1 14:27 Q. It talks about -- You're talking about all --
2 You're talking about you're going to work with Tamer
3 Hosny.

4 A. Yeah. I was talking with Tamer, and I was with
5 14:27 Akon, and he said, "Can you record a video?" He said,
6 "I discussed with Akon a month ago in Abu Dhabi, a
7 collaboration." Because they were doing it before, that
8 video, Tamer and Akon, in Abu Dhabi. And they discussed
9 some sort of deal.

10 14:28 And he's like, "Can you ask him if he can record a
11 video?" So I asked, and he did it.

12 Q. Okay.

13 A. I didn't give any comments on the video. It
14 was mostly Akon.

15 14:28 Q. Okay.

16 So you didn't spend the night. You said you just
17 visit him.

18 And then did you go back to California -- I'm
19 sorry -- North Carolina?

20 14:28 A. North Carolina. I slept on the way. Actually,
21 Thien La was with me, too, and another person.

22 THE REPORTER: Spelling?

23 THE WITNESS: Thien, T-h-i-e-n, La, L-a.

24 MS. EWING:

25 14:28 Q. And who is that person?

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1 14:28 A. Thien La.

2 Q. That was the View Productions?

3 A. Yeah.

4 Q. Okay.

5 14:28 A. He's a photographer originally.

6 Q. You have to forgive me if I have to ask you
7 about some of the names because they sound similar.

8 A. Yeah. It's all foreign names. Don't worry
9 about it.

10 14:29 Q. I should have asked you before we started, do
11 you have any issues with the English language and
12 understanding English?

13 A. No. So far, so good. If I have any issues,
14 I'll let you know.

15 14:29 Q. Okay. Thank you.

16 So the second time that you were in Atlanta with
17 Akon, do you remember what date that you came -- when
18 you first arrived?

19 A. It's a day before Tamer arrives. I cannot
20 14:29 remember, but it's the first two weeks of -- or
21 three weeks of January.

22 Q. That's when you were there?

23 A. I was there, yeah, around 17th, 18th, like this
24 time -- around this time.

25 14:29 Q. Do you recall how many days you were there?

1 14:29 A. I was there for -- from four days to a week.

2 Q. Okay.

3 And what did you do prior to Tamer arriving in
4 Atlanta?

5 14:30 A. I was with Tamer Yehia and his wife and my ex
6 at the time.

7 Q. Okay.

8 And where did you all go? What did you do?

9 A. Let me try to remember. We ate at the hotel.

10 14:30 Q. Where were you staying?

11 A. Yeah.

12 Q. Where were you staying? Sorry.

13 A. Honestly, they did the booking. I really
14 cannot remember.

15 14:30 Q. Was it the Westin?

16 A. It is. The Westin it is, yeah.

17 Q. Okay.

18 A. It is.

19 Q. So you ate at the hotel?

20 14:30 A. Yeah.

21 You have the pen too.

22 Q. Oh, I happened to stay at a Westin last night.

23 Good call.

24 Other than eating at the hotel, do you remember

25 14:31 what you did before you saw Tamer?

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1 14:31 And you're talking about Tamer Hosny?

2 A. Tamer Hosny, yeah, yeah.

3 Q. Yeah.

4 A. Nothing, to be honest. We were excited about,
5 14:31 you know, the whole -- Tamer coming. And we were tired,
6 too, you know, driving from Charlotte to Atlanta. And
7 there's nothing much in Atlanta, to be honest, so we
8 just ate at hotel.

9 Q. Okay.

10 14:31 Is this the Westin downtown, like near the
11 Ritz-Carlton?

12 A. To be honest, I know nothing about Atlanta. I
13 just know the hotel was close to other buildings.

14 Q. Okay.

15 14:31 So --

16 A. I don't think it's downtown, though. I don't
17 think this is downtown, no.

18 Q. Downtown Atlanta may just seem like it, not --
19 definitely not Downtown L.A.

20 14:31 A. Definitely not, it's not compared to.

21 Q. Yeah. Okay.

22 And, then, so the day -- the following day after
23 you were there, that's when you met up with Tamer Hosny?

24 A. Yes.

25 14:32 Q. And tell me about how you -- you know, what you

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1 14:32 all did that day.

2 Do you recall what day it was?

3 A. I really don't remember the day. But we waited
4 for literally for five to six hours outside because the
5 14:32 immigration stopped Tamer. He had some money issue. He
6 tried to bring cash before, and they put his name and
7 his wife. So I just remember waiting six hours because
8 of that issue.

9 So like we were frustrated when he got out. I just
10 14:32 was, you know, happy to see him. And he was talking
11 about how they stopped him and -- because he transferred
12 money in Canada, over 20,000. And he had cash with him.
13 And he had the same problem in the U.S. So they put his
14 name in the system or something, carrying cash.

15 14:32 Q. By the time that you saw Tamer Hosny, had you
16 done anything to, you know, assist in the "Welcome to
17 the Life" video, as far as securing locations or getting
18 any of the crew together?

19 A. Yeah. Tamer Yehia, who's like Tamer's kind of
20 14:33 assistant, you know, in the U.S., he told me that Tamer
21 and Akon agreed on something in Abu Dhabi and they're
22 going to do the collaboration. So he asked, you know,
23 to help him with the video. But we didn't have a song.

24 So I was like "We need a song first in order to
25 14:33 think about" --

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1 14:33 Q. Right.

2 A. -- "an idea for the video."

3 So our main focus was getting the song.

4 Everything -- Everybody was, you know, not sure, like,

5 14:33 what we were doing, to be honest. It wasn't really
6 planned.

7 Q. So before everybody got together in Atlanta,
8 you know, had anything, you know, been arranged as far
9 as, you know, locations for the video or crew members or
10 14:33 anything like that?

11 A. No. It was the last-minute thing. We didn't
12 have time to -- We did everything on the spot.

13 Q. Okay.

14 So kind of walk me through --

15 14:34 A. For sure.

16 Q. -- how that evolved and developed.

17 A. To the video or like --

18 Q. So you get Tamer from the airport?

19 A. Yeah. We were -- We were 20 people. You know,
20 14:34 Tamer travels with eight, nine people, so -- and there
21 was waiting for him, Tamer, and Tamer Yehia. Sorry,
22 there's two Tamers.

23 Q. Right.

24 A. Let me say the full name, Tamer Hosny was
25 14:34 arriving with his wife, his brother, one of his

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1 14:34 photographers and his wife and kid, kid -- and there was
2 like about nine people coming and nine people waiting.

3 So basically, like, the first hours were just, you
4 know, recalling. And I don't remember if -- if we went
5 14:34 straight to Akon's house or we waited the next day. I
6 need to -- I need to look at that.

7 Q. Okay.

8 What's the next thing you did work on?

9 A. The next thing is, you know, Tamer wanted to,
10 14:35 you know, start working on the song because he not
11 understand the situation.

12 So we all went to Akon's house after the hotel, of
13 course. So we went to the hotel. They sit. They
14 relax. I'm not sure if we stayed the night, I can't
15 14:35 really remember, and went the next day to Akon or same
16 day. But most likely, it's the next day because I
17 remember the behind-the-scene footage was daytime. And
18 he arrived really late, so it is the next day.

19 Q. Okay.

20 14:35 A. Yeah, next day, we went to Akon's house. Tamer
21 played piano. You know, everybody got to know each
22 other a little bit more.

23 And, you know, after that, we went to restaurant
24 all together. And after that, we went straight to the
25 14:36 studio to record the song.

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1 14:36 Q. Okay.

2 At that point, was there a title to the song?

3 A. No.

4 Q. Okay.

5 14:36 A. No title for the song. We just -- We just
6 said -- you know, Tamer said, "I have a song with Akon."

7 Q. Okay.

8 A. And this is the whole information we have. And
9 his arriving date. So even Akon didn't know what's
10 14:36 going on, you know.

11 Q. Okay.

12 Had you all listened to any potential songs before
13 you arrived in Atlanta?

14 A. No.

15 14:36 Q. Okay.

16 A. No, no. Because when we stayed in the studio
17 that Akon rented, Akon played few records. And to be
18 honest, at that time, Nelly was on the -- next door, so
19 I was with them most of the time because Nelly is a --
20 14:36 is a good friend of mine too.

21 Q. Okay.

22 Was -- The restaurant was Tuk Tuk? I may not be
23 saying that right.

24 A. Yeah, yeah.

25 14:37 Q. Tuk Tuk restaurant?

1 14:37 A. Uh-huh.

2 Q. Okay.

3 And, then, do you recall the name of the sound
4 studio where Akon reserved space?

5 14:37 A. No, I don't remember.

6 Q. Okay.

7 So that night, was the song nailed down?

8 A. That night -- That night was 'til 7:00,
9 8:00 a.m. That was a long night. We were there, Tamer
10 14:37 writing his part and Akon writing his part. We nailed
11 the song, yeah.

12 Q. Okay.

13 A. And at the same -- I think at the same time
14 when they started writing the song, you know, Tamer was
15 14:37 thinking also about an idea for the video.

16 Q. Uh-huh.

17 A. And he wanted something to do with his
18 daughter -- I mean his upcoming daughter that was -- you
19 know, that was born here.

20 14:38 Q. Okay.

21 So then the following day or kind of the same day,
22 if you all ended at 7:00 or 8:00 --

23 A. Yeah.

24 Q. -- is that when you started getting the
25 14:38 logistics for the video?

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1 14:38 A. Yeah, yeah. And this is when, you know,
2 everybody start working on any idea for the video and
3 everybody throwing ideas.

4 Q. Okay.

5 14:38 Did you have -- What ideas did you contribute?

6 A. I was like, "Listen, this is the last-minute
7 thing. We need to pick one location. We have no budget
8 too."

9 And, also, I had experience with Tamer before, with
10 14:38 Snoop Dogg and Shaggy. There's no budget. You're
11 talking about 10- to \$15,000 for a video, you know. So
12 having a limited budget and no time, we need a location.
13 That's more important than anything. That was my
14 contribution.

15 14:38 And then Tamer said, "Let's shoot Akon's part here,
16 and I'll have, you know, a team, you know, back home do
17 everything, shooting, everything. Just have something
18 really simple here."

19 And, you know, I was like, "Maybe we need little
20 14:39 bit more than simple, at least get the dancers." So I
21 contributed with the dancers because I didn't want Akon
22 stand by himself.

23 And then the only possible locations were either
24 renting a house or renting property that people want to
25 14:39 make money, you know. So we came up with the warehouse

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1 14:39 idea, me and Tamer and Tamer Yehia. So it was all a
2 group, you know, decision to help maybe project move
3 forward.

4 **Q. And did -- Like who reserved the warehouse**
5 14:39 **space? Was that something you did?**

6 A. I think Christian, Christian Simpson, from Down
7 Home Films, he's the one that booked the warehouse. He
8 took care of the -- you know, all the paperwork, as far
9 as I remember.

10 14:40 **Q. And did you pay any fees for the warehouse?**
11 **Who paid the fees?**

12 A. Most likely Christian paid any fees because at
13 that time, Sam Hosny, which was Tamer Hosny's brother,
14 he's the financial manager, you know, for his brother.

15 14:40 So everybody knew if you need anything, you know,
16 Christian knew, you know, go to Sam and ask, you know.

17 **Q. Did you ask for money to cover any expenses?**

18 A. That was not my -- I was just helping. There
19 was people taking care of that.

20 14:40 **Q. Okay.**
21 **But you did get paid money while you were there?**

22 A. No, I didn't get paid fees.

23 **Q. But you did get -- a payment went to you for**
24 **\$10,000 while you were in Atlanta?**

25 14:41 A. I was -- I didn't get paid, me personally, for

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1 14:41 any fees. If there's any transfer happen or any money,
2 that would be for the warehouse or -- But me personally,
3 for my bank account or for my fees, I have not -- that
4 was, as I told you, student work.

5 14:41 Q. I understand.

6 But is it your position that if I were to show you
7 a document to show that you did, in fact, get a transfer
8 to your bank account that that's wrong?

9 A. I got transferred --

10 14:41 Q. To your bank account or to a bank account at
11 your request.

12 A. For what? Because very general, to be honest.

13 Q. I'm just asking you if any money came to you.

14 A. Uh-huh, to me.

15 14:41 Q. "Uh-huh"?

16 A. No, I didn't get any money personally.

17 Q. You didn't get any money?

18 A. No.

19 Q. Did anyone get money on your behalf?

20 14:42 A. Did anyone get money on my behalf?

21 MR. JERISAT: Objection. Vague.

22 Can you clarify.

23 MS. EWING:

24 Q. Did you direct anyone to send money to an
25 14:42 account on -- for you?

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1 14:42 A. For me personally, no.

2 Q. Did you direct anyone to send money to an
3 account with the last name Freitekh?

4 A. To be honest, the question is not clear. Just
5 14:42 rephrase it for me.

6 Q. Okay.

7 I can come back to it.

8 A. Okay.

9 Q. But you're telling me that nobody transferred
10 14:42 any money to you while you were in Atlanta?

11 A. To me personally, no, nobody transferred any
12 money.

13 MR. JERISAT: Objection. I think it's vague.

14 Can you rephrase your question.

15 14:42 Because she's asking you about money paid to you
16 personally.

17 MS. EWING: Sure. I'll just try to find something
18 to clear this up.

19 THE WITNESS: For sure.

20 14:43 MS. EWING: This will be Exhibit 1. (EXHIBIT 1)

21 Q. Mr. Freitekh, if you could take a look at what
22 I've marked as Exhibit 1. And I'll represent that this
23 is a copy of Mr. Badawy's cell phone text messages and
24 it appears to be a conversation with you.

25 14:43 Do you have any reason to believe that this is not,

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1 14:43 in fact, a conversation with you?

2 A. Yeah. Actually, this is for me, but this is
3 not -- this is not for the video.

4 Q. I'm just asking, though, my first -- I just
5 14:43 want to see if you dispute that this is a conversation
6 you had with Mr. Badawy through text.

7 A. Give me a minute just to make sure.

8 Q. Uh-huh.

9 And looks like your name is at the top.

10 14:43 A. You can say anybody's name, so give me a
11 second.

12 Q. Sure. Take your time.

13 A. Yeah, this is me.

14 Q. Okay.

15 14:44 And do you agree that the date is January 23rd,
16 2013 --

17 A. Yes.

18 Q. -- for the message? Okay.

19 And that was when you were in Atlanta; correct?

20 14:44 A. Yes, I was in Atlanta, but this is a transfer
21 that Badawy made to my dad account for house that we got
22 for Tamer, house in North Carolina. It has nothing to
23 do with the video.

24 Q. My question is, simply, whether any money was
25 14:44 transferred at your request while you were in Atlanta.

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1 14:44 A. Not on my request. This is something they --
2 They're requesting he transferred the money.

3 Q. But this account --

4 A. I didn't request. He wanted to deposit the
5 14:45 money. I provided this account. I didn't request
6 money.

7 Q. Okay.

8 But -- So you agree that \$10,000 went into the
9 account with the last four -- last five digits 14516
10 14:45 around -- on or around January 23rd?

11 A. Yes.

12 Q. And you agree that the last name on this
13 account is Freitekh?

14 A. I'm not sure which account is this, but I have
15 14:45 to double-check.

16 Q. Well, this is a message from you, and it's
17 given an account number. And under that, there's a
18 second message that says, "Freitekh is the last name."

19 A. I don't really remember how was it, but -- if
20 14:45 this is the same account that has the Freitekh last
21 name, but yes -- but yes, I sent this message.

22 Q. Okay.

23 And then it says, "Trying to make another one."

24 It says, "Just made you 10 K," which you understand
25 14:46 is \$10,000?

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1 14:46 A. Uh-huh.

2 Q. Then under that says, "Trying to make another
3 one but looks like I exceeded the daily transfer limit I
4 will try to figure something else."

5 14:46 A. Uh-huh.

6 Q. Do you recall getting any additional amounts
7 after the 10,000?

8 A. No, I don't remember.

9 Q. Isn't it true that you got another cash payment
10 14:46 on the 24th from Mr. Badawy in person?

11 A. No.

12 Q. So if Mr. Badawy claims that, do you claim that
13 he's lying?

14 A. Definitely.

15 14:46 Q. Have you ever gotten any cash from Mr. Badawy?

16 A. No.

17 Q. You understand who I'm talking about when I say
18 Mr. Badawy?

19 A. Uh-huh. Ahmed Badawy, yes.

20 14:46 Q. Okay.

21 Other than --

22 MR. JERISAT: I'm sorry. Just to clarify, the bank
23 account you're referring to is in North Carolina --

24 THE WITNESS: Yes.

25 14:47 MR. JERISAT: -- is that the one you're referring

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1 14:47 to? Okay. Okay. That's the subject of -- Okay.

2 Go ahead.

3 MS. EWING:

4 Q. And you're saying that other than the

5 14:47 information we have here, without going into detail
6 about what was -- it was for, other than the information
7 here about this account and a \$10,000 that went in it,
8 without going into why or what it was for, you -- do you
9 have any other information about any other transfers of
10 14:47 money into this account or any other account of yours
11 or -- sorry -- of any account for you?

12 A. What do you mean for me? Because I don't have
13 any accounts, to be honest.

14 Q. Okay.

15 14:47 Let me ask it a different way. Sorry.

16 A. No problem.

17 Q. Other than the information here for
18 January 23rd that lists account number -14516 with a
19 \$10,000 payment, can you -- can you --

20 14:48 A. It's not a payment, though.

21 Q. Well, \$10,000 went into --

22 A. It's \$10,000. It doesn't say payment. This is
23 not a payment.

24 Q. Okay.

25 14:48 "Just made you 10,000," you told me that what that

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1 14:48 appeared is that that was for the account ending in
2 14516; is that correct?

3 A. He said, "Just made you 10,000."

4 Q. Uh-huh.

5 14:48 A. That's it. "Trying to make another one but
6 looks like I exceeded the daily transfer limit I'll try
7 to figure something else."

8 Q. Okay.

9 But you sent instructions that included an account
10 14:48 number?

11 A. Based on Badawy's request.

12 Q. Right.

13 But you agree that that's a bank account?

14 A. This is a bank account, yes.

15 14:48 Q. Yes. Okay.

16 Do you agree or disagree that \$10,000 went into the
17 bank account ending in 14516?

18 A. North Carolina.

19 Q. What was your position -- Uh-huh.

20 14:48 A. I cannot -- To be honest, I need to check.

21 Q. So your answer is you don't know?

22 A. I don't know.

23 Q. Here --

24 A. Yeah, I need to look at the statements for

25 14:48 sure.

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1 14:49 Q. Okay.

2 And do you recall any other instance where any
3 transfer went into the account ending in 14516 from
4 Mr. Badawy or Tamer Hosny?

5 14:49 A. I don't remember, no.

6 Q. Do you have any information to make you think
7 there may be another example?

8 MR. JERISAT: Counsel, I'm going to object. I
9 mean, if you have a document, please show it to the
10 14:49 witness because it looks like we're playing a memory
11 game here.

12 MS. EWING: All I'm asking is -- One of the issues
13 is payments --

14 MR. JERISAT: Correct.

15 14:49 MS. EWING: -- and so I'm just trying to understand
16 what his position is, whether -- either he just doesn't
17 remember or he's not sure or if he does remember.

18 MR. JERISAT: I think he -- I believe he answered
19 it. He says, "I don't remember."

20 14:49 THE WITNESS: I truly don't remember.

21 MS. EWING:

22 Q. Okay.

23 So it's possible?

24 A. It is. I need to look at the accounts.

25 14:49 Q. Okay.

1 14:49 A. Because Tamer, as I mentioned to you, had no
2 cash. He used to travel with cash, and they didn't let
3 him. And he has 11 people to feed, so he always needed
4 money even by charging his card, whether it was business
5 14:50 or, you know, transferring Western Union money.

6 So I really don't remember, you know. It's not
7 just he's feeding ten people, his wife got bills. He
8 rented a mansion for 19 days that I -- you know, asked
9 me for my help for.

10 14:50 So -- So it's really a lot of transactions. And I
11 need to look -- It's not -- It's a lot of transactions
12 for, you know, Tamer.

13 **Q. If you looked and found evidence of those**
14 **transactions, would you be willing to provide that?**

15 14:50 A. Of course.

16 **Q. Okay.**

17 **Do you recall getting a \$10,000 payment for helping**
18 **with the "Welcome to the Life" project?**

19 A. Of course not. I did not get paid for that
20 14:50 project.

21 **Q. Did you receive any money for "Welcome to the**
22 **Life"?**

23 A. Can you rephrase the question.

24 MR. JERISAT: Objection. I think it's vague.

25 14:51 Are you saying money for him personally or money

1 14:51 for the project?

2 MS. EWING: Money for the project.

3 **Q. Did anyone give you money for the project**

4 **"Welcome to the Life"?**

5 14:51 A. You know, Badawy was acting as a producer, so
6 he pays people. So I don't really remember if there was
7 any transactions. But as far as I remember, the whole
8 project was \$20,000, the budget. That's for sure.

9 So if -- if there's anything, I'll check in my bank
10 14:51 account, in this bank account, and I'll provide. But as
11 far as I remember, I didn't get any -- any, you know,
12 physical money for the "Welcome to the Life."

13 **Q. Okay.**

14 **Did you have to pay anything out of your own pocket**
15 14:51 **to help with the production or any of the logistics?**

16 A. Let me try to remember. Let me try to
17 remember. I know Badawy paid with his American Express
18 for the lighting. The DP, I think, was one I gave
19 money -- I took money and gave -- and gave him. Zeus
20 14:52 Moran.

21 **Q. When you say you took money, what do you mean**
22 **by that?**

23 A. This is one, I think, I need to double-check
24 how Zeus got paid, if they paid him -- if Badawy him
25 14:52 cash, or he gave me the money and I gave it to him. I

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1 14:52 need to double-check on this one.

2 Q. Okay.

3 Can you think of any other time that you may have
4 gotten money related to "Welcome to the Life"?

5 14:52 A. "Welcome to the Life"? I can't remember.

6 Q. Okay.

7 Did you have to rent any equipment?

8 A. No. I didn't bring any.

9 Q. Okay.

10 14:53 Did you have to rent any cars or vans or trucks?

11 A. Not me, no.

12 Q. Okay.

13 Did you have to -- Other than Zeus, did you have to
14 pay any crew members?

15 14:53 A. Christian Simpson and Dontlee.

16 THE REPORTER: Do you want to spell that?

17 THE WITNESS: D-o-n-t-l-e-e. He was second camera
18 assistant.

19 And Colin -- I can't remember his last name. He's

20 14:53 a steady cam.

21 I believe at the end of the shoot when he got paid,
22 I was present. So it's either they give me the money
23 and I gave it to him in front of Badawy, because Badawy
24 and Hossam, you know, they make sure everybody's getting

25 14:54 paid.

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1 14:54 They make sure I didn't make any money there. That
2 was like what we talk about with Tamer, because Tamer
3 wanted to -- you know, he wanted to put my name in the
4 Arabic, you know, market as a, you know, director. But
5 14:54 it didn't -- it didn't work out.

6 Q. Okay.

7 How much did this steady cam guy get paid, do you
8 remember?

9 MR. JERISAT: I'm sorry. What was the question?

10 14:54 MS. EWING: I asked him how much the steady cam --

11 THE WITNESS: The guy that holds the camera.

12 I know Zeus gets paid 4,000.

13 MS. EWING:

14 Q. 4,000?

15 14:54 A. Zeus, yeah.

16 Q. Okay.

17 A. But Colin, probably 2,000 a day. It was one
18 day. There's overtime too.

19 Q. What about the second camera assistant?

20 14:55 A. I think he's probably a thousand, something
21 like that, less. Maybe 700.

22 Q. Okay.

23 So you said you would have to check to make sure,
24 but you said those may have been times where you took
25 14:55 money and gave it to those individuals?

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1 14:55 A. In front of Badawy and Hossam, everything.

2 Q. How did that work out? Was it cash? Was it a
3 wire? Like tell me the logistics of how that exchange
4 of money would have occurred.

5 14:55 A. Honestly, as far as I remember, at the end, we
6 met, and I was telling Badawy and Hossam how much each
7 one is, and they pay him -- pay them.

8 So I really don't know how -- if it's cash or
9 checks, or if they gave me an envelope and I gave it to
10 14:55 him, to be honest. I'm not sure how did it happen.

11 But any money involved, you have Hossam, which is
12 Tamer's brother, and Badawy there. They wouldn't give
13 any money out, you know, like that, you know what I
14 mean? Especially that there was no liquid with them.

15 14:56 MR. JERISAT: I'm sorry. No what?

16 THE WITNESS: Cash.

17 MR. JERISAT: Okay.

18 THE WITNESS: There was no cash for them.

19 MS. EWING:

20 14:56 Q. Okay.

21 Other than those potential times where you may have
22 been the person that paid someone on the crew, can you
23 think of any other examples?

24 You said you didn't pay for any locations.

25 14:56 Did you pay for anybody's meals?

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1 14:56 A. No. Actually, I didn't pay for meals. They
2 got food from somewhere.

3 You see, the thing is, that was all-one-day thing.
4 So everything was, you know -- We just want to put a
5 14:56 crew together and a location together. And I was doing
6 my best, you know, to do that. So it was really a busy
7 day. And you have to remember, we didn't sleep that
8 day. So it was like 36 hours of straight working.

9 Q. Uh-huh.

10 14:57 A. So I was exhausted. Everybody was exhausted.
11 I really can't remember like if -- if he gave me the
12 money, I gave it to him, or if there was, you know --
13 what is it called? -- you know, if he paid them cash or
14 check. We really wanted to get the project done. That
15 14:57 was our main goal. So I wasn't paying attention to the
16 small things.

17 Q. Did you have to pay for your lodging, or did
18 somebody pay for that?

19 A. No, they paid. Tamer did.

20 14:57 Q. And who produced behind-the-scenes video?

21 A. Produced?

22 Q. Or I guess who made it.

23 A. Tamer's far cousin. His name is Rami, R-a-m-i.
24 He's the guy that arrived with him from Egypt, I guess.

25 14:57 Q. Did you do any editing on the video?

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1 14:58 A. No.

2 Q. And let's see, so the -- so here today, like,
3 you can't recall -- I just want to make sure I
4 understand this right, you just can't recall any

5 14:58 specific time where you said, "That may be a time where
6 I took money and gave it to someone," you just can't
7 remember how that would have happened?

8 A. I can't recall for sure that. I did all this
9 as a favor and everybody knows that. And you can look
10 14:58 at the credit to -- at the video -- official Tamer
11 release, he gave me special thanks, you know, no
12 directing credit, no producing, no beauty, no location
13 scout. So that's what we did, and this is what I
14 wanted.

15 14:59 So, really, I wasn't hired for anything that day.
16 It was all based on, you know, favor. That's why I
17 don't recall if it was -- Nowadays, every -- you know,
18 if every -- anything happens, it's, you know, listed.
19 There's professional team. There's professional crew.

20 14:59 You're working with a -- 200-, \$300,000 music video.

21 But when you're talking about last-minute video
22 that we stayed 36 hours for \$15,000, that half went to
23 American Express, by the way. And half -- They took
24 care of it. I really can't remember the small details.

25 14:59 Q. I mean, you were working and even if you

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1 14:59 weren't, you said it was for a favor, you were still
2 working and acted the whole time you were there; right?

3 A. I was, yeah.

4 Q. And did you operate the camera equipment, or
5 14:59 did you --

6 A. No. Only giving little bit of directions on --
7 for Tamer and -- what his name? -- Akon.

8 Q. Okay.

9 Were there any other directors at the time that you
10 15:00 all were doing the Atlanta footage?

11 A. Like Tamer Hosny is a director himself. He
12 directed a few videos. So he was basically helping big
13 time too. Especially that he has a massive experience,
14 you know, in this field.

15 15:00 Tamer Yehia was also helping because he's in the
16 industry for a while. So it's a combined project, I
17 guess.

18 Q. Okay.

19 So other than the three of you all, were there any
20 15:00 other directors you brought while you're all in Atlanta
21 doing the footage?

22 A. No.

23 Q. Okay.

24 So you filmed at the warehouse.

25 15:00 Is there anywhere else where you filmed for the

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1 15:00 video?

2 A. Yeah. When we're in Miami before -- you know,
3 I was staying next to Tamer in Miami. We moved all
4 together. And then he -- he was saying that he cannot

5 15:00 wait to go back and shoot, "Let's shoot something in
6 Miami to continue the project."

7 And I was okay with it. You know, we were really
8 like -- you know, we both moved to Miami to wait for his
9 wife's birth. So we were really close.

10 15:01 And I was like, "Listen, I'm here to help you. I'm
11 down."

12 And I remember Badawy got the equipment that day as
13 well on his American Express.

14 Q. Okay.

15 15:01 So after you left Atlanta for the first segment,
16 did you do any logistics work to get the shoot ready for
17 Miami or any other filming that you did?

18 A. No. That was like two month after he -- he
19 came up with the idea. No, there was no more plans to

20 15:01 shoot anymore in the U.S. The project was done there.
21 And I never been to Atlanta, never after.

22 Q. Okay.

23 Other than the second part in Miami, were you
24 involved in anything else for "Welcome to the Life"?

25 15:02 A. Other than that case, no.

1 15:02 Q. Okay.

2 A. As far as I remember -- Give me a second. Let
3 me see.

4 Yeah, I believe "Welcome to the Life" was closed,
5 15:02 and then he added the shots in Miami. He shot more in
6 Lebanon, I think. And he released the video, and it's
7 out.

8 Q. Okay.

9 Were you -- Did you think that you should have been
10 15:02 named as director for that video when it was released?

11 A. Honestly, I got disappointed so many times from
12 Tamer after hours and hours of love and work, so it's a
13 bit sensitive to me, so I prepare. Like I was
14 disappointed, to be honest.

15 15:02 Q. I take it from that that you felt that the work
16 that you did should have been --

17 A. It was not about the work. It's about
18 friendship.

19 MR. JERISAT: Can we take a break?

20 15:03 (A recess is taken.)

21 MS. EWING:

22 Q. I'm going to show you what I'm marking as
23 Exhibit 2. (EXHIBIT 2)

24 A. Sure.

25 15:07 Q. And tell me if this is a picture from the trip

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1 15:08 December 2012.

2 A. Yes.

3 Q. Okay.

4 So around the Christmas trip, this is?

5 15:08 A. This is Christmas Eve.

6 Q. Okay.

7 Christmas Eve?

8 A. Yeah. It was the same night.

9 Q. Okay. All right.

10 15:08 And that's you and Akon; correct?

11 A. Yes.

12 Q. All right.

13 And mark this as Exhibit 3. (EXHIBIT 3)

14 Showing you what I've marked as Exhibit 3. And

15 15:08 just -- This the video that you were talking about --
16 Sorry.

17 This is a copy of a screenshot of your YouTube --
18 or tell me, am I correct that this is your YouTube
19 account?

20 15:08 A. Yeah, yes.

21 Q. And you mentioned there was a video that you
22 posted from the Ritz-Carlton with Akon.

23 A. Yeah. This is it, I believe.

24 Q. Does this look to be the video that you were
25 15:08 talking about?

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1 15:09 A. Yeah.

2 Q. Okay.

3 I have it with me so we can look at it later on
4 today --

5 15:09 A. Okay.

6 Q. -- but I just wanted to confirm, this is your
7 YouTube account?

8 A. Yes.

9 Q. And it was posted on December 27th, 2012?

10 15:09 A. It was posted, yeah, published.

11 Q. So that would have been before Christmas Eve.
12 So you would have been in Atlanta before Christmas
13 Eve?

14 A. Before Christmas?

15 15:09 Q. Because Christmas -- I'm sorry.
16 December 26th?

17 A. This would be after.

18 Q. This would be after the trip we're talking
19 about?

20 15:09 A. Yeah.

21 Q. After Christmas Eve?

22 A. Yeah, yeah. No problem. I was like when is
23 Christmas? Because I didn't know. I'm --

24 Q. Sorry, my bad. Okay.

25 15:09 I just wanted to --

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1 15:09 A. No, no, of course.

2 Q. -- clear that up.

3 And then this is going to be Exhibit 4. (EXHIBIT 4)

4 A. Are these copies for me?

5 15:09 MR. JERISAT: You can keep them. You can keep
6 these to look at. They're going to be part of the
7 record.

8 MS. EWING:

9 Q. Not leave with them, because we're going to
10 15:09 leave them with the court reporter.

11 If you can take a look at Exhibit 4, and I'll
12 represent it's a group of pictures that appear from the
13 "Welcome to the Life" trip in Atlanta, but take a look
14 through them and let me know if that's accurate.

15 15:10 A. I lost weight. That's good. Yeah.

16 Q. Okay.

17 So these are all from the Atlanta trip in January?

18 A. Yeah.

19 Q. Okay.

20 15:10 And if you look at the first page --

21 A. Yeah.

22 Q. Okay.

23 If you look at the first page, could you just point
24 out, starting from the person on the far left, who each
25 15:10 of the people are?

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1 15:10 A. Tamer Yehia and Akon, Tamer Hosny and me.

2 Q. Okay.

3 And is this in Akon's house?

4 A. This is at Akon's house.

5 15:11 Q. Okay.

6 And on the second photo, this would be Akon, you,
7 and Tamer --

8 A. Okay.

9 Q. -- Hosny?

10 15:11 A. Uh-huh.

11 Q. Okay.

12 Akon's house?

13 A. To be honest -- You don't have better quality?
14 I never seen these photos before. But this one, yeah,

15 15:11 because his house is white. But the next one --

16 Q. This is the one we're still looking at. Sorry.

17 A. Oh, okay.

18 Q. Okay.

19 This one --

20 15:11 A. Yeah, this is Akon's house.

21 Q. Still Akon's house?

22 A. Yeah.

23 Q. And then if you look at the third --

24 A. Oh, what's that? This is Tuk Tuk.

25 15:11 Q. I was going to ask you if this is Tuk Tuk.

1 15:11 A. Yeah.

2 Q. And that is Akon, you, and Tamer Hosny?

3 A. Let me see. I'm not sure, to be honest, if
4 this is Tuk-Tuk or not. That might be. Yeah, that
5 15:11 might be Tuk-Tuk.

6 Q. And then the --

7 A. I think this was for the behind-the-scenes. I
8 remember Rami asked us -- asked us to talk together.

9 Q. I'm sorry.

10 15:12 For the court reporter, you're talking about the
11 fifth page, the fifth photo?

12 A. The one --

13 Q. The last one?

14 A. I think.

15 15:12 MR. JERISAT: Is that the last one?

16 THE WITNESS: This is the last one. I don't
17 remember that one. Which one was that? But most
18 likely, it's in the next day in the studio probably.

19 MS. EWING:

20 15:12 Q. Okay.

21 And that's Tamer Hosny, Akon, and yourself?

22 A. Uh-huh.

23 Q. Okay.

24 And then the one just before that, it looks like
25 15:12 you all are still in the same clothes as the Tuk-Tuk

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1 15:12 restaurant.

2 A. Probably it is the Tuk-Tuk.

3 Q. Okay.

4 A. Damn, this is my Facebook posts. This is

5 15:13 scary.

6 Q. This is going to be Exhibit 5. (EXHIBIT 5)

7 And this looks to be a picture of you and Akon; is
8 that right?

9 A. Yeah.

10 15:13 Q. And the date here is November 27.

11 Do you know if this was Thanksgiving before --

12 A. No, that's my house in L.A. here.

13 Q. This is your house?

14 A. Yeah, in Hollywood.

15 15:13 Q. Okay.

16 I was going to ask you where this was.

17 A. Yeah, that was my house in Hollywood Hills.

18 Q. Was this before or after "Welcome to the Life"?

19 A. This is November 27, 2014.

20 15:13 Q. Okay. All right.

21 I just wanted to confirm where this was.

22 A. No problem.

23 Are you following me?

24 Q. I am following you.

25 15:13 A. That's good.

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1 15:13 Q. Oh, no, I'm not following you.

2 A. Okay.

3 I know what you mean.

4 Q. And then while we're going through these, I'm
5 15:14 going to mark this one exhibit.

6 A. What exhibit is that, or that's not an exhibit?

7 Q. I think I did not mark this one.

8 A. Can be Exhibit 5.

9 Q. I'm sorry. I didn't mark Exhibit 5.

10 15:14 This was the photo from Thanksgiving. So now I'm
11 going to do Exhibit 6. (EXHIBIT 6)

12 If you could take a minute to look over that and
13 let me know if this appears, to your understanding, to
14 be a conversation between you and Mr. Badawy through
15 15:14 text.

16 A. The whole thing?

17 Q. Through text.

18 A. I don't remember that.

19 Q. Like the one we looked at before, it has your
20 15:15 name at the top. It appears to be a text conversation
21 with you. These were given to me by Mr. Badawy.

22 Do you have any reason to think this is not a
23 conversation you had with him?

24 A. No, no. We would have this conversation

25 15:15 because, as I told you before, you know, Badawy, he paid

1 15:15 everything with his American Express. And he had a
2 daily limit for transferring -- or taking out cash. So
3 any of the cases I was also helping, you know, if they
4 needed to get out money for themselves and he couldn't,
5 15:15 this is probably a possibility. There is nothing wrong
6 with it.

7 MR. JERISAT: Let me interrupt for a second.

8 What date is this text?

9 THE WITNESS: I don't know. March 12.

10 15:15 MS. EWING:

11 Q. All I'm going to be able to ask you on this, as
12 far as the date, is do you see a March 12, 2013 date on
13 this Exhibit 6?

14 A. Yeah, but this is different message. I want to
15 15:16 see the date on this message.

16 Q. Exactly.

17 So we know it was before March 12, on or about
18 March 12, 2013; correct?

19 A. You know, it's on or before.

20 15:16 Q. Right.

21 A. Yeah. Okay.

22 Q. And, also, I don't know the date before
23 March 12, but it would have to be either March 12 or
24 earlier, like you said; correct?

25 15:16 A. I guess.

1 15:16 Q. Yeah.

2 A. I'm not sure.

3 Q. Well, it wouldn't be after March 12th --

4 A. It wouldn't be after March 12.

5 15:16 Q. -- of 2013.

6 A. I need -- I need to look at my messages just to
7 confirm. But if this is an accurate message, then yes.

8 Q. And you sitting here today, you don't have any
9 reason to think it's not, that it's inaccurate, do you?

10 15:16 A. Definitely, I do. If somebody does all this
11 just to get TMZ's attention can do anything else, in my
12 opinion.

13 Q. Is there anything about looking at this
14 document that makes you think that it's been altered?

15 15:17 A. I'm not an expert, to be honest.

16 MR. JERISAT: Objection.

17 I think what he's saying is, he needs to confirm
18 looking back at his message.

19 MS. EWING: I understand that.

20 15:17 Q. I'm just asking if there's anything you see
21 here that raises your suspicion. I understand you want
22 to confirm.

23 A. Well, raise my suspicion why is he screen
24 caption the waitress things instead of going up and

25 15:17 screen-captioning the full thing? This is -- That's

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1 15:17 why.

2 Where is the full conversation? It's weird screen
3 caption, like bringing personal stuff in the middle.

4 MR. JERISAT: Okay.

5 15:17 I think we're entitled to the whole conversation,
6 Counsel.

7 THE WITNESS: Yeah. It's giving me the end of the
8 story and trying to understand.

9 MS. EWING: Sure. Understood.

10 15:17 Q. The account that's referenced which appears --
11 just from what we're looking at here appears that it was
12 from Tareq, according to this document.

13 A. I need to see the full message.

14 Q. Okay.

15 15:18 A. I need to see the full conversation.

16 Q. Okay.

17 Let's look -- I just have a real specific question.

18 If you would look at Exhibit 1, I think.

19 A. Yes.

20 15:18 Q. Yes, if you look at Exhibit 1.

21 And my only question is whether the two account
22 numbers --

23 A. This one has a date.

24 Q. Sure.

25 15:18 And the only question is very specific.

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1 15:18 There's an account number mentioned in Exhibit 1,
2 as well as Exhibit 6, and I'm just asking you if they
3 both -- isn't it correct they both end in 14516?

4 A. This one is scratched. I'm not sure if it's a
5 15:18 1 or not.

6 Q. Is it true they both end in 4516?

7 A. According to the message here, yes.

8 Q. According to what you're looking at?

9 A. According to what I'm looking at, the last four
10 15:18 numbers on each account is 4516, but the rest of the
11 numbers are scratched.

12 MR. JERISAT: For the record, objection. Hearsay,
13 foundation.

14 Go ahead.

15 15:19 MS. EWING: Right. Okay.

16 Q. And I'm just going to make a representation
17 that I'm the one that scratched out that because I
18 didn't want a full bank account number --

19 A. I appreciate that.

20 15:19 Q. -- as part of the deposition transcript.

21 A. Thank you.

22 Q. Okay.

23 Do you have any reason to -- or do you know -- Do
24 you recognize this information on either Exhibit 1 or

25 15:19 Exhibit 6 that -- for the account ending in 4516, do you

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1 15:19 recognize that as being an account with the last name
2 Freitekh, based on your knowledge?

3 MR. JERISAT: If you remember.

4 THE WITNESS: No, I don't remember.

5 15:19 MS. EWING:

6 Q. Okay.

7 That's all for that.

8 A. No problem.

9 Q. One more question.

10 15:19 A. Okay.

11 Q. It appears that -- or it appears there was
12 money transferred to that account.

13 Do you --

14 A. Doesn't appear to me.

15 15:19 Q. It says, "Just transferred check your account."
16 What do you think that means?

17 A. Okay.

18 What's the first message?

19 Q. I will say the first line says, "Also Habiby,"
20 15:20 if I say that right.

21 A. Yeah. What does Habiby mean?

22 Q. Does it mean brother?

23 A. I'm just saying, like this is uncomplete
24 information. You're hearing -- You're bringing me a

25 15:20 screen capture with no date, with messages that have --

1 15:20 talking about waitress and some embarrassing things.

2 Q. Okay.

3 Your point is made.

4 A. If -- Okay. If -- If my mind is made.

5 15:20 Q. But I can still ask you some questions, and you
6 can raise those points.

7 A. Go ahead.

8 Q. What does "Habiby" mean?

9 A. My love.

10 15:20 Q. Okay.

11 And it says, "Also Habiby that's my account number
12 Hossam just called me," and there is an account number.

13 A. It just message has too much. And I don't know
14 what's -- Honestly, I don't remember this message. And

15 15:20 just like I'm telling you, "Also Habiby that's my
16 account number Hossam" -- "that's my account number
17 Hossam just called me," and then there's a number.

18 So I need to look, because it could be a foreign.
19 I know he just called me. So, you know what I mean?

20 15:21 That's why I need to look at the other messages.

21 And it's half Arabic, half English. You know what
22 I mean? That's why we need the full for me personally
23 in order to answer your questions.

24 Q. I understand.

25 15:21 Putting the document aside, do you recall, you

1 15:21 know, any other -- any transfer to -- from Mr. Badawy to
2 your account?

3 A. I think you asked that question before.

4 Q. Right.

5 15:21 MR. JERISAT: The question is vague.

6 For what purpose?

7 MS. EWING:

8 Q. For any purpose, because you told me before
9 you're not sure, and I didn't know if seeing this jogs
10 15:21 your memory.

11 A. No, no. It didn't change anything because this
12 document is as useless as -- unless there's like rest of
13 it for me to read.

14 Q. Okay.

15 15:22 A. It's just no date, nothing. And there's no
16 information, nothing specific, to be honest.

17 Q. Okay.

18 So just looking at this, I understand your point,
19 nothing has changed your testimony earlier, you still
20 15:22 don't recall any transfers that were made to either your
21 bank account or someone related to you from Mr. Badawy?

22 MR. JERISAT: Objection. I think misstating his
23 testimony.

24 What he's saying is as far as payment to him for
25 15:22 the project "Welcome to the Life," he stated he was not

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1 15:22 paid, there may have been payments sent to his account.

2 THE WITNESS: For other --

3 MR. JERISAT: -- to take care of business.

4 MS. EWING: I think now you're testifying for the

5 15:22 witness.

6 THE WITNESS: He just said what I said.

7 THE REPORTER: One at a time.

8 THE WITNESS: He just said what I said and --

9 MR. JERISAT: I don't -- Don't you answer her
10 15:23 question.

11 MS. EWING:

12 **Q. I'm asking a more general question, whether**
13 **Mr. Badawy ever sent you money, whether that be through**
14 **your account, through a relative's account.**

15 15:23 A. If any money was sent to a relative account,
16 it's purely for their advantage because I didn't have
17 money. They have a limit on withdrawing cash, and they
18 have a limit on American Express. So if there's
19 anything happen, it's out of help for the project for

20 15:23 "Welcome to the Life" because of the methods that, you
21 know, we were -- use. I told you, it's last minute, so
22 just trying to help the project.

23 **Q. Right.**

24 **So we understand each other, I'm not asking why**

25 15:23 **they transferred it to you or what it was used for. I'm**

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1 15:23 just asking if Mr. Badawy ever transferred directly to
2 you.

3 A. Mr. Badawy never paid me directly any money on
4 any project. I didn't receive a penny for work that

5 15:23 I've done, anything other than that.

6 This is major -- This is bigger than me helping.
7 This is, you know, him -- when, you know, book location,
8 want to buy for last minute. And he has a limit to pay,
9 you know, for everything.

10 15:24 So if the transfer happened, that just for the
11 purpose of getting money out to help them, giving it
12 back to them, that's one. Or even paying for the house
13 that he rented for the time he went stayed in Charlotte,
14 his food, his traveling. I got a car too. I got a big
15 15:24 car for, you know, all those things. You know, we had a
16 road trip from Atlanta to my house in North Carolina.

17 Then the house I got for him next to my house. And
18 we were every day going out, you know, eating or -- at
19 my dad's restaurant or at my house. You know, every

20 15:24 night, he's at my house.

21 So it's -- it's just -- you know, it's wider than
22 your question. This is what I'm trying to say. Your
23 question is too wide, like -- like too big.

24 Q. Okay. All right.

25 15:25 So did you ever receive reimbursements from

1 15:25 Mr. Badawy for expenses that you had to pay out of your
2 pocket?

3 A. Yeah. Yes, that happened.

4 Q. Okay.

5 15:25 Like for -- Tell me when that happened.

6 Did it happen for "Welcome to the Life"?

7 A. Well, it happened -- Let me try to remember.

8 Miami part and Atlanta part with "Welcome to the Life."

9 This is the thing, you know, it's last minute, so
10 15:25 it might have happened -- I need to look. I need to
11 call and ask, you know, every one of them, you know, how
12 much they got paid, how did they pay them. Because I
13 really was helping -- I'm a middleman, you know. So
14 it's -- everything not organized because I'm not getting
15 15:25 paid.

16 If there was a company and we're getting paid and
17 everything is professional, I'll give you every document
18 for every one of my crew, how much they got paid and
19 everything. But I was a student at the time. And I'm
20 15:25 telling you, just too much information that I really
21 can't remember two years ago out of help, again, out of
22 a favor I did.

23 Q. Okay.

24 I just want to make sure I'm asking the question
25 15:26 the right way.

1 15:26 A. No, no, of course, I want to answer you.

2 That's why I want to answer you. So --

3 Q. So putting aside -- I know that you -- you've
4 told me today several times that you didn't get any

5 15:26 payment to you personally, okay. That's what you're
6 saying. I understand that.

7 A. That's the truth.

8 Q. But did you get payments for other people? Did
9 money come to you to pay either -- other crew members?

10 15:26 Did money come to you to pay -- you know, to reimburse
11 you for expenses?

12 A. Yes, yes. I remember the house, for sure the
13 house.

14 Q. Which house?

15 15:26 A. The North Carolina house I got for Tamer. That
16 was my dad, something Tamer and my dad talked about.
17 So, you know, there's a possibility -- I want to
18 double-check with my father to how much he paid, and how
19 much him and Tamer, you know, discussed.

20 15:27 Q. Okay.

21 A. Other than that, there's the DP. There's the
22 crew that, you know, we used on the previous two videos
23 we did for Tamer.

24 And we did the same thing -- I mean, I shot a video
25 15:27 in California for Snoop Dogg as a favor the guy's not

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1 15:27 talking about.

2 And I shot Shaggy in New York, same -- everything
3 same, last minute and the same location and same
4 transaction. And it's not mentioned, just -- you know,

5 15:27 I don't know.

6 Q. We can talk about those, but I'm just trying to
7 understand for each of those projects for the Snoop
8 project, for the Shaggy, for "Welcome to the Life," were
9 you paying the crew members and getting reimbursed from
10 15:27 either Mr. Badawy or Hossam or someone?

11 A. All of them, you see, I need to look and ask my
12 crew and -- you know, if -- if the money was given to me
13 in their presence and I hand it to them.

14 But for the house situation, I know there was some
15 15:28 sort of deal between Tamer and my dad. And, also, Tamer
16 needed money for the birth of his daughter in Miami, so
17 he advance that. He needed money. So he was trying --
18 You know, he got money out of the same -- same situation
19 with Badawy helping. You know, me and Badawy, we're
20 15:28 both helping.

21 Badawy was not getting paid neither or -- I don't
22 know if they changed the story. But, you know, this is
23 it. We were both helping. I was helping, Badawy was
24 helping. Badawy was doing his best paying with American
25 15:28 Express and getting -- you know, Tamer paying him back,

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1 15:28 you know.

2 Sometimes it might happen with me that, you know, I
3 paid, they need the money now or they cancel. As I
4 mentioned, I was there to help this and to make things

5 15:28 move forward. So anything I would have done for the
6 video to be shot so Tamer wouldn't lose Akon in this
7 video, since he was leaving, I would have done it to
8 facilitate and help the crew and help Tamer.

9 Q. Okay.

10 15:29 Is it true that you were arrested in Georgia
11 around --

12 MR. JERISAT: Objection.

13 What's the relevancy, Counsel?

14 MS. EWING: In Georgia? We're here today to try to
15 15:29 find out activities that he's been involved in that
16 connect to Georgia.

17 MR. JERISAT: Right. But I think the court's clear
18 as to personal jurisdiction on this case.

19 MS. EWING: I think this is clearly relevant to
20 15:29 Georgia ties.

21 MR. JERISAT: I don't think so.

22 MS. EWING: You can make your objection, but I'm
23 going to ask these questions.

24 MR. JERISAT: Go ahead.

25 15:30 MS. EWING:

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1 15:30 Q. Were you arrested in Georgia in January 2014 --
2 I'm sorry -- January 2014?

3 A. There was a misunderstanding. I got booked for
4 two hours and dismissed.

5 15:30 Q. Okay.
6 Did you have to go to jail?

7 A. No. I got booked for two hours, and they
8 dismissed the case.

9 Q. But you had to bond out of jail; correct?

10 15:30 A. No. My --

11 MR. JERISAT: Objection. He testified he was
12 booked.

13 THE WITNESS: I didn't -- I wasn't in jail, no. I
14 was literally booked for two hours, and then I got out.

15 15:30 MS. EWING:

16 Q. Did you have to pay a fine?

17 A. I don't think -- There was a \$200 fees. So
18 that, my ex paid. But I need to double-check on this
19 one.

20 15:30 Q. Okay.
21 Were there any follow-up times that you had to go
22 to court because of that incident?

23 A. No. The case got dismissed. It was a
24 misunderstanding.

25 15:30 Q. Okay.

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1 15:30 Have you been sued -- Other than the case here
2 today, have you ever been sued --

3 A. No.

4 Q. -- in Georgia?

5 15:31 A. Never in my life, anywhere.

6 Q. Anywhere?

7 A. Anywhere on earth.

8 Q. Have you ever sued anybody else?

9 A. Sue them? Are you going to make you guys some
10 15:31 money soon?

11 MR. JERISAT: That's irrelevant.

12 Next question.

13 Please answer the question.

14 THE WITNESS: For sure.

15 15:31 MS. EWING:

16 Q. Mr. Badawy claimed that you told him that you
17 had to pay a lawyer \$8,000 for the arrest issue in
18 Georgia.

19 A. Mr. Badawy is a liar.

20 15:31 Q. So you disagree?

21 A. I disagree.

22 Q. Okay.

23 Did you have to hire a lawyer for that incident?

24 A. I have my own lawyer.

25 15:31 Q. But did you have to hire somebody specifically

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1 15:31 for the Georgia arrest?

2 A. I need to discuss with my own lawyer in
3 North Carolina because he took care of everything. So
4 he was the person in charge.

5 15:31 Q. And I don't want to hear anything about what
6 you talked to about with your attorney.

7 A. No, no, no, for sure.

8 Q. Yeah.

9 But you never had to come back for court or do any
10 15:31 kind of community service?

11 A. No, nothing, never. The case was dismissed
12 right away. It was a true misunderstanding.

13 MR. JERISAT: Asked and answered. Objection.

14 MS. EWING:

15 15:32 Q. Other than Akon, have you come to Georgia to
16 work on any other projects with artists?

17 A. I would never -- Like I didn't go to Atlanta
18 after that "Welcome to the Life," and hopefully won't.
19 It's my least favorite city. To be honest, there's

20 15:32 nothing really going on.

21 MR. JERISAT: Let's strike that from the record.

22 THE WITNESS: Sorry about that. Okay.

23 MS. EWING:

24 Q. So no other videos --

25 15:32 A. No.

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1 15:32 Q. -- in Atlanta? Okay.

2 So to get back to the welcome to the Atlanta
3 project.

4 A. "Welcome to the Life"?

5 15:33 Q. Sorry. It's another song.

6 MR. JERISAT: It should be "Welcome to
7 Los Angeles."

8 MS. EWING:

9 Q. "Welcome to the Life," who came up with that
10 15:33 title, by the way?

11 A. Most likely Akon, because he put the first
12 verse. And I think the song starts with -- or, no, no,
13 it starts -- the song starts with Akon. So I'm going to
14 assume that he put his lyrics. And, you know, so Akon.

15 15:33 Maybe Akon and Tamer.

16 Q. Let's see, on the day that you all went to
17 Tuk-Tuk restaurant, I think you mentioned that you all
18 started out at Akon's house --

19 A. Yeah.

20 15:33 Q. -- correct?

21 Do you recall while you were at Akon's house that
22 there was some discussion about, you know, wanting to do
23 another project with Tamer?

24 A. We needed to finish "Welcome to the Life." We

25 15:34 have few hours. There was no space to talk about

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1 15:34 anything. Even Rami, the guy was like -- talk about
2 anybody, you know, "I want to shoot." And he was
3 excited.

4 And, you know, I was like -- there was no time, "We
5 15:34 need to go." It's like whatever it took about anything
6 possible. And, you know, they wanted -- We didn't have
7 time for anything, even Tuk-Tuk. You know, we finished
8 the meal and got out to the studio.

9 Q. Right.

10 15:34 But before you even got to Tuk-Tuk, you were
11 hanging out and, actually, you're the one that brought
12 up the idea of another project because this one was
13 going smoothly?

14 A. I brought up the idea?

15 15:34 Q. Uh-huh.

16 Let's do another one with a bigger name.

17 A. In Georgia?

18 Q. No, just period, a new project.

19 A. I don't remember.

20 15:34 Q. You don't recall starting to talk about the
21 idea of another project?

22 A. I know in the first week of February, when
23 Tamer said, "I'm serious about doing a project" -- you
24 know, "a third project with Chris Brown and Akon and" --
25 15:35 "called 'Too Many Lovers,'" even the whole new project,

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1 15:35 "Arabian Knight," was, you know, like, you know,
2 finalized or -- you know, like the new project, the "Too
3 Many" -- I mean "Arabian Knight."

4 **Q. Uh-huh.**

5 15:35 A. The final-final was in Miami. "Too Many
6 Lovers" with Chris Brown which later on, we canceled it
7 and did the new project, "Arabian Knight," was in
8 Charlotte, North Carolina.

9 But, you know -- you know, they're excited.

10 15:35 They're talking about Akon's project. They're happy
11 about it. You know what I mean? So -- So we were busy
12 in that moment, as I told you.

13 **Q. After Tuk-Tuk restaurant, you go to do the work**
14 **in the recording studio?**

15 15:36 A. Uh-huh.

16 **Q. Wasn't there discussion even at that point**
17 **about involving Chris Brown and Akon in another project**
18 **with Tamer?**

19 A. No. I don't remember. We were in the studio
20 15:36 recording, a lot of artist came. Nelly came, and TI
21 came, said hi to Akon, and two other major artist. But,
22 you know, I don't believe -- I don't believe there was
23 any discussion for a future project.

24 **Q. Actually, you're the one that said you were**
25 15:36 **going to go talk to Akon to see if he could help**

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1 15:36 facilitate because he knew Chris Brown?

2 A. Where did I say that?

3 MR. JERISAT: Objection. This is -- You're
4 assuming evidence. Statement, not in evidence. And

5 15:36 you're testifying on behalf of --

6 MS. EWING: I'm entitled to ask him a leading
7 question.

8 MR. JERISAT: Sure. If you can rephrase the
9 question.

10 15:37 MS. EWING:

11 Q. Okay.

12 Didn't you say that you were going to talk to Akon
13 while you were in Atlanta?

14 A. When?

15 15:37 Q. In Atlanta, after Tuk-Tuk restaurant or
16 sometime that day, that you were going to go talk to
17 Akon about getting Chris Brown to work with Tamer on
18 another project?

19 A. No.

20 15:37 Q. You never said that?

21 A. I don't remember, but I'm positive my mind was
22 "Welcome to the Life."

23 Q. And didn't you actually go talk to Akon about
24 getting Chris Brown to work with Tamer on another

25 15:37 project?

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1 15:37 A. Why would we discuss a future project if we
2 have project not done now and we were in the studio
3 trying to figure out the lyrics? And then out of the
4 blue, I be like, "Listen guys, hold everything. Tamer,
5 15:37 don't write. Akon, don't write. Let's figure out a new
6 project for whatever the artist is."

7 You know what I mean? If there's any -- anything
8 that was said, if there's anything that -- maybe, you
9 know, "Hopefully, Tamer, you're going to get so big and
10 15:38 get bigger with other" -- you know, "with bigger
11 projects."

12 But me, no, there was no -- like, you know, no
13 plans or, no, you know, anything serious to start a new
14 feature unless -- until we were done with this one.

15 15:38 **Q. You never -- Just so I'm clear, you never told**
16 **anyone else that was present that you were going to talk**
17 **to Akon while you all are in Atlanta about getting Chris**
18 **Brown to work with Tamer Hosny on other projects?**

19 MR. JERISAT: Objection. You're misstating his
20 15:38 testimony. He said, "I don't remember."

21 MS. EWING: Actually, I'm not sure that's what he
22 said. I think he said he did not --

23 MR. JERISAT: I think he said there were too many
24 artists, and they talked about a lot of things.

25 15:38 MS. EWING: So you -- this is different, because I

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1 15:38 think he actually said something different.

2 THE WITNESS: Okay.

3 MS. EWING:

4 Q. Is it your position that you just don't

5 15:39 remember if you talked about another project between
6 this time, Tamer and Chris Brown, while you were in
7 Atlanta?

8 A. I can remember that we -- I cannot remember
9 that we discussed any projects -- future project in
10 15:39 Atlanta, but I'm positive that the first initial project
11 about Tamer and Chris Brown had been in North Carolina,
12 the first week of February, serious talk about having
13 him doing a new song with Akon and another major artist.

14 Q. So you're saying now that the first time there
15 15:39 was any talk about a project between Tamer and Chris
16 Brown did not happen until February?

17 A. Probably end of January when they were in
18 Charlotte, North Carolina.

19 Q. I'm not asking you about probably, because you
20 15:39 first said you didn't remember, and your attorney said
21 that was what you said.

22 A. Right.

23 Q. Then you're now saying you're sure it was the
24 first week of February. I'm just trying to figure
25 15:40 out --

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1 15:40 A. No, no, no. The serious talk when I called --

2 Q. I'm not asking about serious. I'm talking
3 about when did it ever get mentioned, the first --

4 A. Charlotte.

5 15:40 Q. -- that there may be a project involving Chris
6 Brown and Tamer Hosny?

7 A. As far as I remember, in Charlotte, North
8 Carolina after we left Atlanta.

9 Q. Do you just not remember if it came up in
10 15:40 Atlanta, or do you disagree it came up?

11 MR. JERISAT: Counsel, I think we're splitting
12 hairs here.

13 MS. EWING: It's an important issue, and I want to
14 make sure we're talking on the same page.

15 15:40 MR. JERISAT: I understand, but the testimony of
16 this witness is he does not remember exactly when the
17 conversation happened, and I think more questions will
18 not clarify what the answer --

19 MS. EWING: I disagree. It's not clear.

20 15:40 Q. I'm just trying to understand, is it your
21 position that while you were in Atlanta, you don't
22 remember if there was any discussion about a project in
23 the future between Chris Brown?

24 A. No serious discussion.

25 15:40 Q. I'm not asking about serious.

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1 15:41 I'm just saying, was there any discussion about
2 another project?

3 A. I don't remember.

4 MR. JERISAT: Objection. Asked and answered.

5 15:41 THE WITNESS: I don't remember.

6 MS. EWING: It's not asked and answered because he
7 keeps wanting to put "serious" when I'm just asking if
8 there was any discussion.

9 MR. JERISAT: I understand and I said I understand.

10 15:41 And I think that's why I think there's a
11 misunderstanding. He's saying there may be in terms of
12 he doesn't remember, but he's saying there are serious
13 discussions in --

14 THE WITNESS: Charlotte.

15 15:41 MR. JERISAT: -- Charlotte. I think that's his
16 testimony.

17 MS. EWING:

18 Q. Okay.

19 So I want to try to clear it up.

20 15:41 You don't remember talking about Chris Brown in
21 Atlanta?

22 A. No, I don't remember. We were too busy.

23 I'm telling you, we have a project that we need to
24 finish, deadlines, and hours of work. And, then, I

25 15:41 really -- like it was too much pressure. You know what

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1 15:41 I mean?

2 And I also was -- My position there is to make,
3 also, Tamer happy with Akon and other Tamer had to do
4 with everybody. You know what I mean? So I really

5 15:41 cannot remember.

6 Q. Okay.

7 But you do remember talking about a future
8 project -- potential future project with Chris Brown the
9 first week of February?

10 15:42 A. No, I said last -- first week, like by the end
11 of January and maybe the beginning of February. That's
12 when Tamer said, "Call Akon."

13 I still -- You know, "Call Akon and see if he can
14 really get us Chris Brown or Rihanna or" -- "Rihanna in
15 15:42 this project." And I did call Akon, and we had
16 three-way call together.

17 Q. Do you recall promising, while you were in
18 Atlanta, to get \$50,000 from your dad to close the deal
19 on a future project involving Tamer Hosny?

20 15:42 MR. JERISAT: Objection. Asked and answered.

21 MS. EWING: No, it's different.

22 MR. JERISAT: He said he does not remember.

23 MS. EWING: He said he does not remember talking
24 about Chris Brown.

25 15:42 THE WITNESS: This happened in Charlotte,

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1 15:42 North Carolina. We were sitting in my dad's restaurant
2 when Tamer asked him if he can deposit money. I didn't
3 discuss any money. There was no money. The amount that
4 Akon put for featuring Chris Brown, the amount was
5 15:43 discussed. We were in North Carolina Charlotte on the
6 phone.

7 And the next day, we went to my dad's restaurant,
8 La Shish Kabob, in Charlotte, North Carolina. And this
9 is when he asked my dad if he could put 50,000 as a
10 15:43 deposit for the project, like, and my dad did it
11 two days after. So we're talking about 6th or 5th of
12 February.

13 MS. EWING:

14 Q. While you're in Atlanta, do you recall talking
15 15:43 about any future deal and financial terms of --

16 A. I don't recall.

17 Q. -- another project with Tamer Hosny?

18 MR. JERISAT: Objection. Asked and answered. At
19 this point, I think he answered maybe five, six times.

20 15:43 MS. EWING: I disagree. And I think he said that
21 so many times --

22 THE WITNESS: I did. To be honest, I did. I
23 have -- I really don't remember. And I told you how
24 much we were busy.

25 15:44 But I remember for sure, if you want to talk

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1 15:44 serious, when Tamer in North Carolina, he came up with
2 having a serious project. This is a real project. This
3 is money being spent and features and time. So it's not
4 something you're, like, "Oh, I want to do a" -- "Let's
5 15:44 do a song with Tamer and Shakira." You know what I
6 mean? "Let's do a song, Tamer, and" -- You know what I
7 mean?

8 So I'm talking this is -- What I remember is the
9 serious talk when Tamer -- like the end of January, we
10 15:44 were North Carolina, Charlotte. And he was happy what
11 he did with "Welcome to the Life." He felt that he did
12 a step -- He said, "Let's take things serious, and I
13 want to do a song with Chris Brown and Rihanna with
14 Akon."

15 15:44 MR. JERISAT: Can we go off record?

16 MS. EWING: Uh-huh.

17 (A recess is taken.)

18 MS. EWING: Back on. I'm going to mark as
19 Exhibit 7. (EXHIBIT 7)

20 15:53 THE WITNESS: Okay.

21 MS. EWING:

22 Q. If you could take a look at that. It's a
23 couple different emails. I'm sorry. Yeah.

24 It appears that on February 23rd, 2013, that

25 15:53 there's an initial email from you to Tamer Hosny, I

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1 15:54 believe; is that correct?

2 There's two emails on this first page. There's one
3 that was the originating email dated February 23rd,
4 2013, 10:02:15 p.m. and that says, "From: Tarik

5 15:54 Freitekh."

6 MR. JERISAT: Counsel, if I may. I'm objecting to
7 the relevancy of this to his connection of Atlanta.

8 What is the relevance to his connection to Atlanta?

9 MS. EWING: This is one of the issues we said is
10 15:54 that there's a Georgia clause here that was proposed.

11 THE WITNESS: I don't know what this is, anyway.

12 MR. JERISAT: Georgia clause in the agreement?

13 MS. EWING: Uh-huh.

14 MR. JERISAT: Okay.

15 15:54 MS. EWING:

16 Q. But just to kind of start this, am I correct
17 that on the first email, at the bottom of the first
18 page, that that was from your email address?

19 A. That's my email address, but I don't remember

20 15:54 this.

21 Q. Okay.

22 But that is your email address?

23 A. Toh@usa.com.

24 Q. Uh-huh.

25 15:55 A. Yes.

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1 15:55 Q. And it appears that you sent an agreement to
2 Tamer Hosny on February 23rd, 2013, which is the
3 attachment that's titled "Side Artist Agreement"?

4 A. No. I didn't send that.

5 15:55 Q. Okay.

6 A. I don't remember that, actually. I don't
7 remember that.

8 Q. Do you just not remember this particular email,
9 or do you --

10 15:55 A. I don't remember the email, yeah.

11 MS. EWING: Okay.

12 MR. JERISAT: Counsel, same objection. Even if
13 it's true that he did propose Georgia law, he's not
14 party to the agreement. Just to make sure for the
15 15:55 record.

16 MS. EWING: You can make your statement, but that's
17 positions between lawyers for the court papers.

18 MR. JERISAT: Great.

19 MS. EWING: I'm entitled to ask about this.

20 15:55 MR. JERISAT: I understand. I understand.

21 But I think we have a court order which clearly
22 states that he's not part of the side agreement between
23 the -- Akon and the plaintiff.

24 THE WITNESS: What is this? This is not even

25 15:56 "Arabian Knight."

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1 15:56 MS. EWING: I just want to take objection to -- I
2 mean, you can make a statement if you'd like, but the
3 judge did not qualify how I conduct jurisdictional
4 discovery --

5 15:56 MR. JERISAT: No, I understand that.

6 MS. EWING: -- and that's one of our arguments.
7 That's the purpose of additional discovery.

8 MR. JERISAT: I understand that.

9 But I think the Court's position is clear that even
10 15:56 assuming that the witness did draft the agreement, he's
11 not part of the agreement. So I take what you said, but
12 I'm just informing you what -- I think the Court's
13 opinion is clear in ECF 47.

14 MS. EWING: With all due respect, I don't need your
15 15:56 opinion about what the opinion means from the Court.

16 MR. JERISAT: I understand, understand. Likewise.
17 Go ahead.

18 MS. EWING:

19 Q. So we got off track --

20 15:56 A. That's fine.

21 Q. -- but is it your position that you don't
22 recall --

23 A. I don't recall --

24 Q. -- this email?

25 15:56 A. -- this at all.

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1 15:57 And I want to see why it's Tamer forwarding to
2 Badawy. Why it's not printed from Tamer's account?
3 Isn't he the guy in the case?

4 Q. I'm just asking you if you remember.

5 15:57 A. I don't remember this, no.

6 Q. Okay.

7 Do you remember sending an agreement for Tamer to
8 review for the Chris Brown potential project?

9 A. No.

10 15:57 Q. You just don't remember?

11 A. No.

12 Q. Okay.

13 Do you remember ever making a statement that any
14 agreement needed to have a Georgia law apply because

15 15:57 Akon lived in Georgia?

16 A. This didn't happen.

17 Q. Okay.

18 MR. JERISAT: Objection to foundation, as to
19 hearsay when and where he made that statement about

20 15:57 Georgia law.

21 MS. EWING: I asked if he ever did.

22 MR. JERISAT: Foundation is when and where because
23 it's vague.

24 MS. EWING: I asked if he ever made that statement.

25 15:58 Q. Did you ever make that statement? Did you ever

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1 15:58 make a statement to anyone, Mr. Tamer Hosny?

2 MR. JERISAT: If he remembers. But --

3 MS. EWING: Yeah.

4 MR. JERISAT: -- objection to the foundation as to

5 15:58 it's vague.

6 MS. EWING:

7 Q. Did you ever make a statement that an agreement

8 between Tamer Hosny and anyone involving a potential

9 project with Chris Brown or any other artist needed to

10 15:58 have Georgia law apply?

11 A. No. I'm not a lawyer, and I never suggest
12 things like that. It's not my job.

13 Q. Okay.

14 And you don't -- You don't recall sending an

15 15:58 agreement to review?

16 A. No.

17 MS. EWING: Okay.

18 This is going to be Exhibit 8. (EXHIBIT 8)

19 Q. If you take a look at what I've marked as

20 15:59 Exhibit 8.

21 A. Uh-huh.

22 Q. For the first page, there is --

23 MR. JERISAT: Counsel, this is the document we
24 already marked in evidence which is Exhibit A; correct?

25 15:59 MS. EWING: Exhibit 8?

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1 15:59 MR. JERISAT: Exhibit A in Badawy declaration;
2 correct?

3 MS. EWING: Yes, same thing.

4 MR. JERISAT: Okay.

5 15:59 So just to confirm. So this is -- this is now
6 Exhibit 8, but it's also a portion of Exhibit A in --
7 was that --

8 Did we recall that -- did we mark that Plaintiff --
9 Defendant Exhibit -- Defendant Exhibit A1?

10 15:59 THE REPORTER: Yes, in the first deposition.

11 MR. JERISAT: Yes.

12 So this is Exhibit A of the Defendant Exhibit 1,
13 okay, which is two deposits in a Georgia bank account.

14 THE WITNESS: No, no, no. Yeah, but deposit were
15 16:00 made in North Carolina.

16 MR. JERISAT: Okay. I understand. I'm sorry.

17 Go ahead.

18 MS. EWING:

19 Q. Okay.

20 16:00 Do you recall that being deposit receipts that you
21 sent to Mr. Badawy?

22 A. Yes.

23 Q. Okay.

24 And if you look at the deposit receipts, one is for
25 16:00 25,000, the second one is for 25,000?

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1 16:00 A. Uh-huh.

2 Q. And do you agree that these were for deposits
3 that would be made into a Georgia bank account?

4 A. I don't know what bank account it is, but they
5 16:00 were made in North Carolina. I don't have what
6 information, what state, what city. I just got the bank
7 account.

8 Q. Do you know whose bank account this was going
9 into?

10 16:00 A. It's Akon or his company.

11 Q. Who made these?

12 A. My father.

13 Q. Okay.

14 These are receipts; correct?

15 16:01 A. Yes.

16 Q. Okay.

17 MR. JERISAT: Which exhibit is that, Exhibit 8?

18 MS. EWING: That was Exhibit 8.

19 THE WITNESS: Okay.

20 16:01 MS. EWING: Okay.

21 I am now marking Exhibit 9. (EXHIBIT 9)

22 THE WITNESS: Thank you.

23 MR. JERISAT: All right.

24 For the record, this is the plaintiff exhibit, be

25 16:02 9.

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1 16:02 MS. EWING: I will say this one may be presented
2 differently than what was in Mr. --

3 THE WITNESS: Because it's from Ahmed Badawy to --
4 I don't know. What is that?

5 16:02 MR. JERISAT: Oh, you mean it's not part of the
6 exhibit?

7 MS. EWING: No.

8 Can we go off record for just a second.

9 (A discussion is held off the record.)

10 16:03 MS. EWING: Back on the record.

11 MR. JERISAT: This is Plaintiff's Exhibit 9, which
12 is Defendant Exhibit D and Exhibit E, part of Defendant
13 Exhibit 1.

14 Go ahead, counsel.

15 16:03 MS. EWING:

16 Q. Okay.

17 If you look at the first page of Exhibit 9,

18 Mr. Freitekh, is that your email address as to the
19 recipient of this -- of the first page email?

20 16:04 A. Yes.

21 Q. And the date of that was March 10th, 2013?

22 A. Yes.

23 Q. And I'll represent to you that I don't have the
24 attachment to this particular email, but it appears that

25 16:04 the original email had an attachment.

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1 16:04 A. Uh-huh.

2 Q. Is that how it looks to you?

3 A. Yeah.

4 Q. Okay.

5 16:04 And then this email that you -- that was dated
6 March 10th, 2013, that was to you from Mr. Badawy?

7 A. Yes, I remember this email.

8 Q. Okay.

9 What do you remember about this email on the 10th?

10 16:04 A. I remember that Badawy send it to me and to
11 Tamer, and that he put together a side agreement.

12 Q. Okay.

13 And then if you look at the next page, there are --
14 there's an email that contains -- that forwards another
15 16:05 email --

16 A. Uh-huh.

17 Q. -- and the email that was forwarded appears to
18 be from -- and I may say this wrong -- Aliaune Thiam?

19 A. Aliaune Thiam, that's Akon.

20 16:05 Q. Yes.

21 Is that correct?

22 A. That's his name, but this email, it's even not
23 correct or there's something wrong with it because I
24 never forwarded the side agreement to Badawy. I sent

25 16:05 him the track, but I forwarded the agreement that he put

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1 16:05 together to Akon, after I told him I was against it from
2 the beginning, because I wanted -- I wanted an official
3 agreement with the lawyer before we start -- before I
4 put the first deposit.

5 16:05 But then Badawy put together some sort of agreement
6 and I was, like, "I'm going to send it, but I'm not
7 going to follow up. It's not my responsibility."

8 Q. But you agree that your email is in both of the
9 separate emails that are on the second page, meaning --

10 16:06 A. My email is correct, but I didn't send any
11 attachment on the second email. I need to check. I
12 didn't forward any agreements, especially Monday, like a
13 day after.

14 Q. Okay.

15 16:06 So you agree this is your email, but you dispute
16 that there was an attachment?

17 A. I agree I received the side artist agreement.
18 I don't remember forwarding it to Ahmed Badawy.

19 Q. Okay.

20 16:06 A. I forwarded it to Akon but not to Ahmed Badawy.

21 Q. Okay.

22 If you look on the third page, there's a side
23 artist agreement that appears to be signed.

24 And did you forward that to Mr. Badawy?

25 16:06 A. No.

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1 16:06 MS. EWING: Okay.
2 Now marking Exhibit 10. (EXHIBIT 10)
3 Sorry, I'm taking a minute to compare it to our
4 earlier exhibit.
5 16:08 MR. JERISAT: It's Plaintiff's Exhibit 10, which is
6 Defendant Exhibit 1 and Exhibit G as part of Exhibit 1.
7 MS. EWING:
8 Q. Okay.
9 Mr. Freitekh, have you had a chance to look at
10 16:08 Exhibit 10?
11 A. Sure. Yes.
12 Q. Okay.
13 Is this an email from you to Mr. Badawy dated
14 April 9, 2013?
15 16:08 A. Yes.
16 Q. Okay.
17 And there's an attachment to this email?
18 A. Uh-huh.
19 THE REPORTER: Is that a "yes"?
20 16:08 THE WITNESS: Yes.
21 MS. EWING:
22 Q. Okay.
23 And do you agree that there's an attachment that
24 appears to be a deposit receipt to this email?
25 16:08 A. Yes.

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1 16:08 Q. Okay.

2 You disputed one of the other attachments?

3 A. Uh-huh.

4 Q. Do you have any reason to dispute that this was
5 16:09 an attachment that you sent?

6 A. I remember this one. But the other one, I
7 don't remember forwarding an agreement to -- to Badawy.

8 Q. Uh-huh.

9 A. I remember I forwarded it to Akon. But this
10 16:09 one I remember because it's -- it's \$100,000 from my
11 money transferred to Akon, so I better remember this
12 one.

13 Q. Okay.

14 And this one appears from this document to be a
15 16:09 transfer that was made to Akon's account in Georgia?

16 A. Uh-huh.

17 THE REPORTER: Is that a "yes"?

18 THE WITNESS: Yes, yes.

19 MS. EWING:

20 16:09 Q. What's the date on this particular receipt?

21 A. April 1st, 2013.

22 Q. Okay.

23 Is this an accurate -- or is this a real deposit
24 receipt?

25 16:10 A. I believe so.

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1 16:10 Q. Do you have any reason to think that this is
2 not accurate?

3 A. No.

4 Q. Tell me -- It appears, so that you know, based
5 16:10 on what we have looked at as far as some of these
6 receipts that show an account in Akon -8766, which is
7 Akon's account.

8 A. Okay.

9 Q. Can you tell me whether you ever came to
10 16:10 Georgia to make any receipts or deposit into his
11 account?

12 A. No.

13 Q. How did you make transfers to Akon's account?

14 A. For which subject?

15 16:11 Q. For any -- Like for the project that is related
16 to the lawsuit, "Arabian Knight," or anything that was
17 after "Welcome to the Life."

18 A. Can you be more specific? Because, you know, I
19 have a relationship with Akon. It's very general
20 16:11 question.

21 Q. Okay. Sure.

22 A. But I never done any -- no money deposits to
23 Akon Georgia account, if that's the question. I never
24 went to Georgia, or I never presented in Georgia and
25 16:11 presented money to Akon's account.

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1 16:11 Q. Okay.

2 You never went to his home bank and in person went
3 to the teller and gave --

4 A. No.

5 16:11 Q. Okay.

6 How much money did you send to Akon for the second
7 project involving Tamer Hosny?

8 A. "Arabian Knight"?

9 Q. Yes.

10 16:11 A. Well, you have to be specific because there's
11 two project. One canceled, and then we set up the
12 "Arabian Knight" in Miami in March. So I just want
13 to --

14 Q. Okay.

15 16:12 Let me ask it this way. After "Welcome to the
16 Life," for any other project involving Tamer Hosny,
17 regardless of what it was called --

18 A. Okay.

19 Q. -- how much money do you contend that you
20 16:12 transferred to Akon?

21 MR. JERISAT: Objection. Vague.

22 MS. EWING:

23 Q. Were there other Tamer Hosny projects?

24 A. There was Tamer Hosny "Arabian Knight." I

25 16:12 mean, there was -- Chris Brown got canceled. So there

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1 16:12 was, you know -- And then it changed to "Arabian
2 Knight."

3 There was money deposits from North Carolina to his
4 account, 25-, 25-, \$50,000. And then I transferred
5 16:12 \$100,000 on April 4th from my money, because later on
6 with Tamer, we agreed that I'm going to go as partner in
7 this. So this \$100,000 is my money.

8 And then we transferred another \$5,000 because what
9 happened, the total was 300-. Tamer sent 145-, and I
10 16:13 believe the total I sent was 155- or around 155,000 --

11 Q. Okay.

12 A. -- to finish the 300-.

13 Q. Are you aware that Akon had claimed that the
14 money that you transferred never made it into his
15 16:13 account?

16 A. No.

17 MR. JERISAT: Objection. I think -- I don't think
18 this is relevant to the issue of personal jurisdiction,
19 Counsel. This goes to the heart of this lawsuit and --

20 16:13 MS. EWING: It relates to a Georgia account. You
21 can make your objection, but --

22 MR. JERISAT: I'm instructing him not to answer.

23 THE WITNESS: I'm not answering.

24 MS. EWING:

25 16:13 Q. Okay.

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1 16:13 Is it your position that you paid the full \$155,000
2 to Akon?

3 A. Is it -- Excuse me?

4 Q. Is it your position that you paid \$155,000 to
5 16:14 Akon?

6 A. What do you mean?

7 MR. JERISAT: Same objection.

8 Can we -- Can we go off record.

9 (A discussion is held off the record.)

10 16:16 MS. EWING: Back on the record.

11 Q. The question is, is your position that you
12 transferred \$150,000 into a Georgia bank account?

13 A. I don't understand the question, really. Like
14 what do you mean, what is my position?

15 16:16 Q. Did you transfer \$155,000 into Akon's account
16 in Georgia?

17 MR. JERISAT: I'm going to object to that. I think
18 it's irrelevant to the issue of personal jurisdiction.

19 MS. EWING: He and I disagree.

20 16:16 MR. JERISAT: And I don't think he should answer
21 the question, with all due respect, because now we're
22 going to have a running into an issue with a party who's
23 not represented in this lawsuit --

24 MS. EWING: I'm asking him --

25 16:17 MR. JERISAT: -- so far.

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1 16:17 MS. EWING: -- if he transferred money into an
2 account in Georgia. I'm entitled to ask that.

3 MR. JERISAT: I think he testified he transferred
4 money into an account in Georgia.

5 16:17 MS. EWING: He didn't, actually.

6 MR. JERISAT: He said he transferred money. What's
7 the amount and whose account it was, it's not relevant,
8 and there's a third party not present here.

9 MS. EWING:

10 16:17 **Q. I'm still going to ask, did you transfer**
11 **\$155,000 into a Georgia bank account?**

12 MR. JERISAT: Same objection.

13 THE WITNESS: My lawyer is objecting.

14 Answer or --

15 16:17 MR. JERISAT: I don't think we should go into
16 another party who's not represented here.

17 THE WITNESS: Can you ask me the question with
18 Akon's party is represented so everybody is happy?

19 MS. EWING:

20 16:17 **Q. I'm asking you if you paid money, 155,000.**
21 **That, you should remember.**

22 **Did you pay \$155,000 into -- (QUES)**

23 MR. JERISAT: Counsel, same objection. I don't
24 think he should answer this question.

25 16:17 THE WITNESS: I'm not going to answer this

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1 16:18 question.

2 MS. EWING: Okay.

3 Tell me if you object to this.

4 Q. Did you pay \$155,000 into the account ending in

5 16:18 8766? (QUES)

6 MR. JERISAT: Same objections.

7 THE WITNESS: I'm not going to answer.

8 There was deposits and you --

9 MR. JERISAT: I instructed you not to answer --

10 16:18 THE WITNESS: Okay.

11 MR. JERISAT: -- on behalf of Akon because Akon is
12 not represented now, and it's not fair to Akon's
13 interest at this point.

14 THE WITNESS: When Akon's represented, I'll answer.

15 16:18 MS. EWING: So that's your position?

16 MR. JERISAT: Yes.

17 MS. EWING: Okay.

18 Just for the record, I disagree with that position.

19 What are we on, 11?

20 16:19 THE WITNESS: No, 9 -- No, no, 10.

21 MR. JERISAT: 10.

22 MS. EWING: All right.

23 I'm now marking Exhibit 11. (EXHIBIT 11)

24 THE WITNESS: Sure.

25 16:19 MS. EWING:

1 16:19 Q. Mr. Freitekh, if you could take a look at
2 Exhibit 11.

3 A. Uh-huh.

4 Q. Have you seen this document before?

5 16:19 A. Yes.

6 Q. And on the second page, is that your signature?

7 A. Yes.

8 Q. Did you have a chance to review Exhibit -- the
9 document that's Exhibit 11 before you signed it?

10 16:19 A. Yes.

11 Q. And you signed it on July 25th, 2014?

12 A. Uh-huh.

13 Q. Under penalty of perjury; correct?

14 A. Uh-huh.

15 16:20 THE REPORTER: Is that a "yes"?

16 THE WITNESS: Yes.

17 MS. EWING:

18 Q. And you signed this stating that the
19 11 statements represented in Exhibit 11 were true and
20 16:20 correct; correct?

21 A. Yes.

22 Q. Okay.

23 And if you look at number 9, can you read that
24 statement for me?

25 16:20 A. "I have never been present in Georgia."

1 16:20 That's regarding "Arabian Knight." I have not
2 presented in Georgia during the filming or negotiation
3 of "Arabian Knight."

4 **Q. Does that say that in paragraph 9?**

5 16:20 A. To be honest, the way I understood it and the
6 way it was explained to me, present during the "Arabian
7 Knight," this is the whole subject of the case.

8 Because, like, there's footage from me and photos
9 everywhere and video. There's no reason for me to lie
10 16:21 about this.

11 I have never been presented in Georgia during the
12 "Arabian Knight" project. This is the true, honest
13 meaning.

14 **Q. But for -- at least for Exhibit 11, you signed**
15 16:21 **off on July 25th, 2014 swearing that it was true and**
16 **correct that you had never been present in Georgia,**
17 **period?**

18 A. No, it didn't mean that way.

19 MR. JERISAT: Objection. Asked and answered.

20 16:21 I think the witness explained to you and also
21 explained by the defendant in his amended memorandum
22 that the statement "present" is relevant to the subject
23 of the lawsuit.

24 So asked and answered. I mean, you're not going to
25 16:21 get any more mileage from this. You can try. We went

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1 16:21 on how many hours earlier before today.

2 MR. JERISAT: Go ahead, yeah.

3 MS. EWING:

4 Q. Nothing in your statement in number 9, you

5 16:21 know, if someone had read this -- or nothing in
6 statement 9 says here that this is only in regard to the
7 "Arabian Knight" project; correct?

8 A. What is the case about?

9 Q. I'm not asking you what the case is about.

10 16:22 A. The case is about "Arabian Knight." I wasn't
11 there during the shooting of "Arabian Knight" in
12 Georgia. I never -- I wasn't present in Georgia during
13 the shooting of "Arabian Knight."

14 Q. But it's true that at least for this final, you
15 16:22 signed you had never been present in Georgia with --
16 without any other --

17 MR. JERISAT: Objection. Asked and answered.

18 Counsel, I mean, we understand your position --

19 THE WITNESS: Yeah.

20 16:22 MR. JERISAT: -- during the morning hours, and you
21 made fun of our position that -- about the English
22 language. Now you're taking the same counter-position
23 here.

24 MS. EWING: I take opposition to you saying I made
25 16:22 fun of you earlier.

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1 16:22 MR. JERISAT: I mean, your witness, and you clearly
2 agreed with him --

3 MS. EWING: But --

4 MR. JERISAT: -- and --

5 16:22 MS. EWING: -- I am entitled to ask him
6 specifically --

7 MR. JERISAT: Sure.

8 MS. EWING: -- if he added anything to number 9 to
9 say that this is only talking about the case or only

10 16:22 talking about "Arabian Knight."

11 THE WITNESS: What's the purpose of this paper?

12 MS. EWING:

13 **Q. All I'm asking you --**

14 A. All I'm asking you is, this is the purpose of
15 16:23 the case. I have never been present in Georgia for this
16 case, not in my life. This was the true, honestly, and
17 I'm telling you now. So this is it. I have never been
18 present in Georgia during "Arabian Knight," period.
19 That's it.

20 16:23 **Q. Okay.**

21 **You're telling me that's your explanation for why**
22 **you put number 9; correct?**

23 MR. JERISAT: Yes.

24 THE WITNESS: Yes.

25 16:23 MS. EWING:

1 16:23 Q. But just so we're clear for the record, in
2 number 9, you only stated the actual words, "I have
3 never been present in Georgia," period --

4 A. Yeah.

5 16:23 Q. -- just the specific words?

6 MR. JERISAT: Objection. Asked and answered.

7 And I think, Counsel, we have explained to you -- I
8 think we're going back and forth here, but in document
9 31, we explain our position. We explain with the

10 16:23 amended declaration.

11 You can go ahead and answer.

12 MS. EWING: I can ask the question because you're
13 referring to a legal filing.

14 MR. JERISAT: Sure, go ahead. Go ahead.

15 16:24 THE WITNESS: Yeah.

16 MS. EWING:

17 Q. Okay.

18 And you agree that clearly, you know, you had been
19 present in Georgia before the "Arabian Knight" project?

20 16:24 A. Of course.

21 Q. Okay.

22 Number 10, you state, "I have never done business
23 in Georgia"; correct?

24 A. Uh-huh, correct.

25 16:24 Q. And you signed off on that?

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1 16:24 A. Right.

2 Q. But you agree that you participated in the
3 filming of a video in Georgia?

4 THE REPORTER: Hold on a second.

5 16:24 MR. JERISAT: Objection. You're assuming that
6 business is simply transacting and doing anything in
7 Georgia. His definition of business is receiving
8 income, and he stated clear --

9 MS. EWING: I'm sorry, but let the witness describe
10 16:24 what he thinks "business" means.

11 MR. JERISAT: Right, right.

12 Go ahead.

13 THE WITNESS: I was a student. By that time, it
14 was not a business. It was help, volunteer. I didn't
15 16:24 make money out of it, so I don't look at it as business.

16 So I had never done business or money in Georgia.
17 This is how I look at it. I volunteered to help as a
18 student and helping out Tamer as a friend.

19 MS. EWING:

20 16:25 Q. So is it -- Just so I understand, if -- is it
21 your position that you aren't doing business unless
22 you're getting paid to do the work?

23 A. No, it doesn't have -- it is the money, of
24 course, this is number one, as business. Number two,
25 16:25 transaction should have been paper, legal, filing taxes,

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1 16:25 all that.

2 This is business -- legal business, everything, you
3 know, a real business. You know, this was not business.
4 This was help, volunteer, school, project as well. You
5 16:25 know, this is for me not business for sure.

6 Q. But you did work on that project for "Welcome
7 to the Life" in Georgia; correct?

8 A. I worked on -- I worked on previous videos for
9 free too. I worked on -- 90 percent of the videos I
10 16:25 worked on is free. There is over 200,000 filmmakers
11 ever year graduating. So, you know, we need -- we need
12 to get, you know, the resume.

13 MR. JERISAT: Resume?

14 THE WITNESS: Resume, yeah.

15 16:26 So for me, it's not business for sure. I'll say
16 it's business if I gained money or if there was a, you
17 know, business transaction that happened there. But no,
18 this is pure help, volunteer.

19 MS. EWING:

20 16:26 Q. Okay.

21 And then number 11 says, "I have never received any
22 income from any Georgia business or person."

23 A. Uh-huh.

24 Q. How is that different from the statement in
25 16:26 number 10 that "I have never done business in Georgia"?

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1 16:26 MR. JERISAT: Objection. Asked and answered. It's
2 the same -- It's the same answer, Counsel.

3 MS. EWING: I'm asking the witness because he
4 signed his name and provided his statement.

5 16:26 MR. JERISAT: Sure.

6 MS. EWING: I'm asking him because he told me
7 number 10 meant receiving money.

8 MR. JERISAT: Right.

9 MS. EWING:

10 16:26 Q. So I'm just asking if there's any difference
11 between number 10 and 11.

12 A. I think number 11, if you know if -- more
13 specific, I never done business with individuals or
14 company like -- you know, no one person hired me or,
15 16:27 like, whole company hired me. This was my meaning. So
16 it's individuals or corporate. I was never hired or got
17 paid in Georgia, Atlanta.

18 Q. Okay. All right.

19 And it's true that you did change the declaration
20 16:27 that was number 11?

21 MR. JERISAT: Objection to that characterization of
22 the form. This was an amended, not changed --

23 MS. EWING: Okay.

24 MR. JERISAT: -- to clarify.

25 16:27 MS. EWING: All right.

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1 16:27 I'm now going to mark Exhibit 12. (EXHIBIT 12)
2 THE WITNESS: Thank you.
3 MS. EWING:
4 Q. If could you take a look at Exhibit 12 and let
5 16:28 me know if you recognize this document.
6 A. Yeah.
7 Q. Is that your signature on the second page?
8 A. Yes.
9 Q. Okay.
10 16:28 And do you recognize this as an amended declaration
11 of Tarik Freitekh pursuant to 28 U.S.C. 1746?
12 A. Uh-huh.
13 Q. And what was the purpose for amending the
14 declaration that we saw in number 11? What was your
15 16:28 reason?
16 MR. JERISAT: Objection. Asked and answered, I
17 think.
18 MS. EWING: No, this is a new exhibit.
19 I'm asking him, why did you amend your Exhibit
20 16:28 Number 11?
21 THE WITNESS: Because of --
22 MR. JERISAT: Objection. You're asking him a legal
23 question.
24 THE WITNESS: Yeah. Honestly, it is a legal
25 16:28 question.

1 16:28 MS. EWING:

2 Q. If there's any -- Did something about -- Tell
3 me, did you come to your attorney -- or I don't want to
4 find out what you said to your attorney, but what were
5 16:29 the circumstances of amending your first declaration?

6 Did you decide that you needed to change something,
7 or was it your initiative or not?

8 MR. JERISAT: I'm going to object as
9 attorney-client privilege.

10 16:29 MS. EWING: Okay.

11 Q. Did you have a chance to review Exhibit 12
12 before you signed it?

13 MR. JERISAT: Can we go off record.
14 (A discussion is held off the record.)

15 16:29 MS. EWING: We can go back on.

16 Q. If you look -- Mr. Freitekh, if you look at
17 Exhibit 11, Exhibit 12 --

18 A. I don't see 12. Oh, 11. Oh, okay. I know
19 what you mean now.

20 16:29 Q. Okay.

21 And I just want to figure out what's different
22 between the two.

23 A. Of course.

24 Q. Do you agree that the statement number 1 looks
25 16:30 to be the same?

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1 16:30 A. Uh-huh.

2 Q. Is that true?

3 A. Yeah.

4 Q. Okay.

5 16:30 Statement number 2 appears to be the same; is that
6 correct?

7 A. Yes.

8 MR. JERISAT: Counsel, we'll stipulate that
9 statements 1 through 8 are the same.

10 16:30 THE WITNESS: Yeah.

11 MS. EWING: Okay.

12 MR. JERISAT: And that statement 9, 10, and 11 are
13 different.

14 MS. EWING: You said 1 through 8 --

15 16:30 MR. JERISAT: 1 through 8 are the same.

16 MS. EWING: Okay.

17 I thought you said 1 through 3 at first. 1 through
18 8. And -- Okay.

19 Q. So if you look at statement 9 --

20 16:31 A. Uh-huh.

21 Q. -- statement 9 is different in Exhibit 12
22 versus the number 9 in Exhibit 11?

23 A. Uh-huh, yes.

24 Q. Now, the Exhibit 9 says that you had traveled
25 16:31 to Georgia in or around January 2013 to record a music

1 16:31 video; correct?

2 A. Yes, I traveled to Georgia in about January,
3 yeah.

4 Q. But, in fact, as we talked about earlier, you
5 16:31 had also been in Georgia in December of 2012; correct?

6 A. Yes.

7 Q. Okay.

8 A. But it says "in or about January." So it was
9 because everything happened in the two weeks. It was,
10 16:31 like, probably, yeah.

11 Q. Is there a reason, you know, not to mention
12 December -- the December visit?

13 A. No, there's no reason at all.

14 The case -- You know, the whole "Arabian Knight"
15 16:32 started in 2013. So my whole intention, you know, when
16 writing this, I was focusing on "Arabian Knight." I
17 didn't know it's a question, like, you know, I have to
18 reveal years before and all that.

19 Q. And then number 10 --

20 16:32 A. In 11 or 12?

21 MR. JERISAT: 10.

22 MS. EWING:

23 Q. In 10 in number 12.

24 A. Uh-huh.

25 16:32 Q. This one is different from 10 in number 11?

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1 16:32 A. Yeah.

2 Q. Okay.

3 And this one now says, "I was not paid for my work
4 on the music video "Welcome to the Life"; is that

5 16:32 correct?

6 A. That's correct.

7 Q. Is that statement -- Do you still believe that
8 statement to be true and correct?

9 A. Yes.

10 16:33 Q. And it's your position that you never received
11 any money for work that you did on the "Welcome to the
12 Life" video?

13 A. I didn't receive money for my fees. I didn't
14 get paid for this video.

15 16:33 Q. For your work?

16 A. For my work, yeah.

17 Q. Okay.

18 And number 11, you agree, is different, and number
19 12 is different from 11 -- in number Exhibit 11?

20 16:33 A. Yeah, they're different.

21 Q. Okay.

22 And in Exhibit -- sorry.

23 MR. JERISAT: 12.

24 MS. EWING:

25 16:33 Q. -- 12, number 11 of Exhibit 12, you say, "I did

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1 16:33 not discuss the "Arabian Knight" project, the subject of
2 this lawsuit, with Akon or Hosny during my visit to
3 Georgia"; correct?

4 A. Correct.

5 16:33 Q. Do you still believe that statement to be true
6 and correct?

7 A. Yes.

8 Q. Because there's some -- there may be an issue
9 about when it was called "Arabian Knight." Is this --

10 16:34 A. "Arabian Knight" came to the picture on
11 March -- March -- mid March, like almost --

12 MR. JERISAT: Can we have a second to be clear.

13 This was no question -- Just answer the question.

14 THE WITNESS: Okay.

15 16:34 MS. EWING:

16 Q. Did you discuss any other project involving
17 Tamer Hosny during your visit to Atlanta with Akon or
18 Hosny different from "Welcome to the Life"?

19 MR. JERISAT: Objection. Asked and answered. The

20 16:34 witness clearly stated he does not remember.

21 MS. EWING: I'm asking him just based now looking
22 at this document.

23 THE WITNESS: I don't remember any general
24 questions, but no serious talk were about any other

25 16:34 project other than "Welcome to the Life" in Georgia.

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1 16:35 MS. EWING:

2 Q. Even if it wasn't a serious --

3 A. I don't remember.

4 Q. Okay.

5 16:35 If you do remember at a later time, would you be
6 willing to change your declaration?

7 A. Sure, sure.

8 Q. And if you do remember at a later time, do you
9 agree that because you signed your name saying that

10 16:35 these statements are true and correct, that you would
11 need to change it?

12 A. Say again.

13 Q. You said you don't remember --

14 A. Uh-huh.

15 16:35 Q. -- if those discussions happened in Atlanta.

16 If something changes and you remember having
17 discussions about another project in Atlanta, other than
18 "Welcome to the Life," do you agree you would need to
19 change your affidavit because you said -- this is

20 16:35 supposed to be correct?

21 MR. JERISAT: Objection. Speculation -- Calls for
22 speculation, also calls for a legal conclusion.

23 MS. EWING:

24 Q. Well, let me ask it this way. Since you signed

25 16:36 your name stating that all your statements in your

1 16:36 declaration are true and correct under penalty of
2 perjury, if you discover later on through your memory or
3 otherwise that your statements are false, don't you
4 agree you need to change your statements?

5 16:36 MR. JERISAT: Objection. Speculation, asking for a
6 legal conclusion.

7 THE WITNESS: So --

8 MS. EWING:

9 Q. You can --

10 16:36 A. Can you paraphrase the question.

11 Q. Sure --

12 You signed your name stating that all the
13 statements in Exhibit 12 --

14 A. Okay.

15 16:36 Q. -- were true and correct under penalty of
16 perjury.

17 A. Yes.

18 Q. All I'm asking is, if you remember --

19 A. I did not discuss the "Arabian Knight" project,
20 16:36 the subject of lawsuit, with Akon and Hosny during my
21 visit to Georgia.

22 Q. But you're telling me that you don't remember.

23 A. "Arabian Knight" was not discussed in Georgia
24 for sure, hundred percent, "Arabian Knight." Pitbull

25 16:36 and Akon and Tamer came to the picture at the end of

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1 16:36 March --

2 Q. Okay.

3 A. -- the whole project.

4 So here my statement is hundred percent that I did
5 16:37 not discuss "Arabian Knight" project in -- you know, in
6 Georgia, Atlanta. The main focus was "Welcome to the
7 Life."

8 MR. JERISAT: Stop. There's no question and you're
9 confusing the record. Listen to her question.

10 16:37 THE WITNESS: I answered that question many time.

11 MR. JERISAT: But listen to her question and then
12 don't volunteer until she asks her question because
13 you're confusing the record.

14 THE WITNESS: I'm sorry.

15 16:37 MS. EWING:

16 Q. Is your number 11, the statement that you just
17 read from, is your distinction about calling that the
18 "Arabian Knight" project, is your statement -- I'm
19 trying not to be confusing.

20 16:37 MR. JERISAT: This is confusing.

21 THE WITNESS: Can I go to the restroom real quick?

22 MS. EWING: Yeah.

23 (A recess is taken.)

24 MS. EWING: Back on the record.

25 16:40 Q. So one of the issues that we're kind of -- that

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1 16:40 keep coming up in this issue is that this project, some
2 people call it "Arabian Knight," some people call it
3 something else, some people call it "the project."

4 MR. JERISAT: I think there's two projects, to be
5 16:40 honest, because the Chris Brown project -- Stop, stop.
6 Don't interrupt here.

7 MS. EWING: Yeah.

8 MR. JERISAT: And listen to the question before you
9 answer because she can only take down one person --

10 16:40 THE WITNESS: Okay. I'm sorry.

11 MS. EWING: I just want to make sure we don't get
12 hung up on names.

13 THE WITNESS: Okay.

14 MS. EWING:

15 16:40 Q. So I understand what your statements mean when
16 I read your declaration, when you say there were no
17 discussions about the "Arabian Knight" project in
18 Atlanta, but then you also tell me that you don't
19 remember discussing the second project --

20 16:40 A. There was no serious discussions that I
21 remember, serious.

22 MR. JERISAT: Stop. She didn't finish.

23 THE WITNESS: Okay.

24 Finish. Okay.

25 16:41 MR. JERISAT: Let her finish.

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1 16:41 THE WITNESS: It's the same point.

2 MR. JERISAT: She can only take one person --

3 THE WITNESS: Okay.

4 MS. EWING: Okay.

5 16:41 THE WITNESS: Sorry.

6 MS. EWING:

7 Q. I just want to make sure that we're talking --
8 I don't want you to get hung up on that it wasn't called
9 "Arabian Knight" until a certain point in time. I'm
10 16:41 just asking in general.

11 You told me earlier that you don't remember the
12 second project involving Tamer Hosny, other than
13 "Welcome to the Life," a new one was talked about in
14 Atlanta.

15 16:41 That's what you said earlier; is that correct?

16 A. Say it again.

17 Q. That you don't remember if a future project,
18 other than "Welcome" -- you know, after "Welcome to the
19 Life," was talked about in Atlanta.

20 16:41 A. I remember there was no serious talk. Yes,
21 there was no serious talk about any future project. If
22 anybody around me said -- or anybody said, "Let's do
23 another project," which I doubt it, that, you know,
24 there was nothing serious. There was no serious talk
25 16:41 about a new project. I don't remember if anybody said

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1 16:42 anything.

2 MR. JERISAT: Stop, stop, stop, stop. You're not
3 listening to the question. You're not answering the
4 question. Okay. We need to have a clean record.

5 16:42 THE WITNESS: Okay.

6 MR. JERISAT: She asked you --

7 Can you repeat the question. Okay.

8 (The record is read by the reporter.)

9 MR. JERISAT: Okay.

10 16:42 Now she has a question.

11 THE WITNESS: I don't remember.

12 MS. EWING:

13 Q. Okay.

14 You make the statement in Exhibit 12 that there was

15 16:42 no discussion about the "Arabian Knight" project in
16 Atlanta?

17 A. Uh-huh.

18 Q. And you were definite about that?

19 A. Yeah.

20 16:42 Q. And I guess I'm trying to understand if --
21 because you said you also don't remember whether you
22 talked about a future project in Atlanta.

23 A. Okay.

24 MR. JERISAT: Hold on.

25 16:43 I'm sorry. What's the question?

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1 16:43 MS. EWING: Okay. Sorry.

2 Q. Let me -- Let me ask this.

3 A. Go ahead. I think we're all tired, that's it.
4 We're all getting sleepy. I didn't sleep myself.

5 16:43 Q. Sorry. This is my problem of not being able to
6 ask a clear question.

7 A. No, go ahead. I want to give you a clear
8 answer.

9 Q. I just want to make sure I understand what you
10 16:43 meant when you put that paragraph 11.

11 A. Of course.

12 Q. So for paragraph 11, that talks about there was
13 no discussion about the "Arabian Knight" project in
14 Atlanta?

15 16:43 A. Paragraph number 11?

16 Q. On Exhibit 12.

17 A. On Exhibit 12?

18 Q. Uh-huh.

19 Does that depend on your understanding that there
20 16:44 was no "Arabian Knight" project called that until after
21 you left Atlanta?

22 A. I didn't discuss the "Arabian Knight" project.

23 Q. Uh-huh.

24 A. That's based on there was no serious talk about
25 16:44 any next project. Like, I don't know -- How can I put

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1 16:44 this? There was no serious talk about --

2 MR. JERISAT: Okay. This is -- Okay.

3 Please ask your question again.

4 Listen to the question.

5 16:44 MS. EWING: Okay.

6 THE WITNESS: Am I misunderstanding the question?

7 MR. JERISAT: Yes, yes.

8 Please ask the question.

9 THE WITNESS: Okay. Go ahead.

10 16:44 MS. EWING:

11 Q. Okay.

12 A. I'm sorry. I'm sorry.

13 MS. EWING: Can you repeat the question.

14 (The record is read by the reporter.)

15 16:45 THE WITNESS: "Arabian Knight" was not discussed.

16 MS. EWING:

17 Q. Okay.

18 When you say that "Arabian Knight" was not

19 discussed in Atlanta --

20 16:46 A. Okay.

21 Q. -- is your reason for saying that because there
22 was no project that was called specifically "Arabian
23 Knight" until a later point in time after you all left
24 Atlanta?

25 16:46 A. That's one of the reasons, yes.

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1 16:46 Q. Is that the reason that -- for your statement
2 11 that there was no discussion about the "Arabian
3 Knight" project?

4 A. One of the reasons. One of the reasons.

5 16:46 Q. What's the other reason?

6 A. There's many reasons. Because we really didn't
7 have any serious talk, us saying, "We're going to do a
8 new feature in Miami" in Atlanta while we haven't even
9 recorded or have a name for the project Tamer and Akon.

10 16:46 That's what I was saying.

11 Q. Okay.

12 And I hate to sort of reask these questions again.

13 A. No, no, no. That's fine. Of course.

14 Q. I want to make sure the record is clear.

15 16:46 Every now and again, you say there were no serious
16 talks. I am trying to understand if there was any
17 talks.

18 A. This is music industry and --

19 MR. JERISAT: Counsel, I have to object. It's
20 16:47 asked and answered.

21 And, further, the question is confused. He
22 testified that part of the reason that the project --
23 the "Arabian Knight" was not discussed in Atlanta is
24 because the name only came after January, and there may
25 16:47 have been discussions about other projects, I think.

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1 16:47 So --

2 MS. EWING: I'm not sure he said that.

3 MR. JERISAT: And I think further questioning is
4 not going to clarify it, but go ahead, try.

5 16:47 THE WITNESS: Go ahead.

6 MS. EWING:

7 Q. Okay.

8 This may be like the last question I ask on this.

9 A. No, no.

10 16:47 Q. I just want to make sure --

11 A. Of course.

12 Q. -- nothing has changed from what you told me
13 earlier?

14 A. Of course.

15 16:47 Q. Earlier, you told me you did not remember if
16 another project was talked about in Atlanta aside from
17 "Welcome to the Life."

18 A. Any serious.

19 Q. No, you told me -- Earlier, you told me you

20 16:47 don't remember any.

21 A. I don't remember any talk. But if we had a
22 serious conversation, I would have remembered. If we
23 discussed -- If we sat and talk about an artist and new
24 project, I would have remembered serious conversation.

25 16:48 But if anybody talking between me, no, I don't remember.

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1 16:48 **Q. My question is, just simply, do you remember**
2 **any conversation about another project, other than**
3 **"Welcome to the Life," that would have involved Tamer**
4 **Hosny while you were in Atlanta?**

5 16:48 MR. JERISAT: Objection. Asked and answered.

6 THE WITNESS: I don't remember.

7 MS. EWING: I'm sorry. But --

8 THE WITNESS: I don't remember.

9 MS. EWING: -- this has made me ask the question
10 16:48 again because --

11 MR. JERISAT: I understand, but I don't think we're
12 getting anywhere with this.

13 THE WITNESS: I don't remember.

14 MS. EWING: Okay. All right.

15 16:48 THE WITNESS: Took me forever to understand.

16 MS. EWING:

17 **Q. Is there anything here today that you want to**
18 **add to the statements that you made in Exhibit 12?**

19 A. Can I discuss question with my lawyer?

20 16:49 MR. JERISAT: No, you can't discuss.

21 THE WITNESS: I can't?

22 MR. JERISAT: Either answer "yes" or "no."

23 THE WITNESS: I transferred \$43,000 to --

24 MR. JERISAT: Objection.

25 16:49 She's asking you a question about Exhibit 12.

1 16:49 THE WITNESS: Oh, Exhibit 12.

2 MS. EWING:

3 Q. Uh-huh. I'm just asking you if there's
4 anything you want to add or change.

5 16:49 MR. JERISAT: No, no. Listen to the question.

6 THE WITNESS: Oh, I'm sorry.

7 MS. EWING:

8 Q. No, anything you want to add or change --

9 A. No, no. All good.

10 16:49 Q. -- to Exhibit 12?

11 A. To Exhibit 12?

12 Q. Uh-huh.

13 A. No.

14 Q. Okay.

15 16:49 Are there -- Is there anything else that you want
16 to add about the case here today?

17 MR. JERISAT: Objection. Vague, asking for a
18 narrative, and foundation.

19 If you would be specific, you may ask that. You're

20 16:49 asking a general question.

21 MS. EWING:

22 Q. Okay.

23 Is there anything else about your trip to Atlanta
24 or your project on "Welcome to the Life" or anything

25 16:49 about the trip to Atlanta and while you were with the

1 16:50 other, you know, parties in Atlanta that you would like
2 to add?

3 A. No.

4 MS. EWING: Okay.

5 16:50 Let me just look over my notes real quick.

6 MR. JERISAT: Sure. All right.

7 MS. EWING:

8 Q. I just have a couple more questions, and then I
9 wanted to show you the videos that we discussed earlier.

10 16:52 A. For sure.

11 Q. Okay.

12 Have you -- I think I saw that you've done work for
13 Neo?

14 A. Neo.

15 16:52 Q. Neo, have you done any work for him?

16 A. He pictured, yes.

17 Q. Okay.

18 Any work that you've done with him involve meetings
19 in Georgia or any work in Georgia?

20 16:52 A. His house is next to my house in L.A. Neo
21 lives in L.A.

22 Q. He's also --

23 A. In Georgia.

24 Q. Yeah.

25 16:52 A. All artists have tons of house.

1 16:52 Q. Have you had any reason to come work with him
2 in Georgia?

3 A. No.

4 Q. And any other artist that you've visited, even
5 16:52 if it was for a short period of time, here in Georgia?

6 A. No.

7 Q. Okay.

8 And I'm going to show you a couple videos that we
9 mentioned earlier just to make sure that the one that
10 16:52 I'm looking at is the one we talked about was posted.

11 A. For sure.

12 Q. Wouldn't be an exhibit. I just want to make
13 sure.

14 A. No problem.

15 16:52 THE REPORTER: Do you want to go off the record?

16 MS. EWING: Yeah, go off the record.

17 (Video played.)

18 MS. EWING: Back on. Okay.

19 Q. Mr. Freitekh, we're back on the record.

20 16:55 Earlier today, we looked at a screenshot of your
21 YouTube account and there was an entry that was
22 filmed -- or posted in December 2012, and you said that
23 that was the event that you were -- visited Akon in
24 Atlanta?

25 16:56 A. For a few hours, yes, in Atlanta.

1 16:56 Q. And that you had posted a video from
2 Ritz-Carlton?

3 A. It was recorded. I posted it in my house in
4 North Carolina.

5 16:56 Q. I wanted to see -- I wanted to play a video for
6 you.

7 A. Sure.

8 Q. And I am about to play the video, and I want
9 you to tell me if this is the same video that's on your

10 16:56 YouTube page --

11 A. Of course.

12 Q. -- from December 2012 posted.

13 (Video played.)

14 THE WITNESS: Is this the one taken from my page or
15 16:57 Tamer's page?

16 MS. EWING:

17 Q. This was from your page.

18 A. Yes, that's it. But I just need to
19 double-check because Tamer, he had had one.

20 16:57 The closeup on Akon in my video, I think we were
21 together all the time, but I need to double-check. You
22 know what I mean? This is the one downloaded from --

23 Q. From your page.

24 A. I just want to -- Can I go online and check?

25 16:57 Q. I don't know if there's a Wi-Fi --

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1 16:57 MR. JERISAT: What's the question?

2 MS. EWING: I just wanted to see if this was -- I
3 mean, this is the title. I got it from his YouTube
4 page.

5 16:57 THE WITNESS: If you got it from my YouTube page,
6 yeah, this is it.

7 MS. EWING: And I just wanted his confirmation
8 we're talking about the same video.

9 THE WITNESS: Yes.

10 16:57 MR. JERISAT: Which is at the Ritz-Carlton or at
11 his house?

12 THE WITNESS: Yeah, where I parked my car, where he
13 dropped me at the Ritz-Carlton. We just did -- The
14 video was -- Tamer asked for it.

15 16:58 MR. JERISAT: Okay.

16 THE WITNESS: So yes.

17 MS. EWING:

18 **Q. Are you comfortable this is the video that we**
19 **talked about earlier --**

20 16:58 A. Yes.

21 **Q. -- that you posted to your account?**

22 A. Yes.

23 MS. EWING: All right. Another video. Off the
24 record.

25 16:58 (Video playing.)

1 16:58 MS. EWING: Let the record reflect I'm not
2 introducing as an exhibit, but I'm showing to the
3 witness for his comment about what the video is.

4 I'm going to tell you it's -- this one is posted on
5 16:58 Tamer's YouTube page, and it's called "Behind the Scenes
6 for the Welcome to the Life Project." And I just want
7 to see if this is the video that you recognize as being
8 the "Behind the Scenes."

9 MR. JERISAT: For the record, though -- You can ask
10 16:58 questions. For the record, we're objecting to these
11 videos on the basis of hearsay and foundation and
12 authenticity.

13 But go ahead, you can ask those questions.

14 MS. EWING: Okay.

15 16:59 Q. Well, the video that we looked at a minute ago,
16 do you agree that you're in that video?

17 A. Yes.

18 Q. Okay.

19 A. The video that you took from my YouTube page?

20 16:59 Q. The one -- Yes.

21 Is this going to Akon's house, the house that's
22 pictured at the beginning?

23 A. Yes, yes.

24 Q. Okay.

25 16:59 A. This is leaving his house going to Tuk-Tuk.

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1 16:59 Q. Okay.

2 Is that the recording studio?

3 A. Uh-huh.

4 Q. And is that -- Sorry. I'm just pausing it for

5 16:59 a second. Okay.

6 So the part where you're in the recording studio,
7 earlier you talked about how you had to get the song put
8 together for "Welcome to the Life."

9 A. I was with them, yeah, but we were all working
10 17:00 together.

11 Q. I'm sorry. Not you directly, but the team, the
12 group?

13 A. Yeah, the group. Yeah.

14 Q. So when they're working in the studio, this was
15 17:00 trying to get the "Welcome to the Life" song put
16 together like you had mentioned earlier?

17 A. Yes, "Welcome to the Life."

18 Q. Okay.

19 And let's see.

20 17:00 A. Learning Arabic.

21 MR. JERISAT: There's no question.

22 THE WITNESS: No, I'm telling you.

23 MS. EWING: Okay.

24 And we're at a minute 12.

25 17:01 Q. Is that you in the plaid or greenish shirt?

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1 17:01 A. Yeah, yeah.

2 Q. Okay.

3 And who is the individual with the cap on?

4 A. Tamer Yehia.

5 17:01 Q. And that's who?

6 A. Akon's assistant.

7 Q. Okay.

8 And the guy with the white T-shirt?

9 A. That's J.R. Taylor, choreographer.

10 17:01 THE REPORTER: One at a time.

11 MR. JERISAT: Choreographer.

12 MS. EWING:

13 Q. And this was the rehearsals that you talked
14 about earlier for "Welcome to the Life," the dancers?

15 17:01 A. Yes.

16 Q. Okay.

17 A. Tamer Yehia.

18 Q. And we're at a minute 25.

19 Again, that's -- the guy with the white cap,

20 17:02 that's --

21 A. Tamer Yehia.

22 Q. And are you pictured in this frame?

23 A. Yes.

24 Q. And what are you doing in this frame?

25 17:02 A. I'm looking.

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1 17:02 Q. Is this on -- at the warehouse location?

2 A. Yeah.

3 Q. Okay.

4 And who's the other individual?

5 17:02 A. That's Hosny. They brought him here to take
6 care of the baby, the new -- you know, after he was born
7 because she was thinking she going to be tired. So he
8 basically is taking care of the baby.

9 This is Zeus, the DP.

10 17:02 Q. We're at a minute 27.

11 MR. JERISAT: There's no question.

12 MS. EWING: We're at a minute 27.

13 Q. The man with the cap on, the knit cap, his
14 name, that's Zeus, the DP?

15 17:02 A. The DP.

16 Q. Okay.

17 And it's hard to see with that clip. There's
18 another guy with a black ban- -- headband in this frame.

19 Do you recognize who that is?

20 17:03 A. I don't remember, but there was few guys that
21 came -- What's the word? Like when you're at school and
22 you go to help -- and they give you --

23 MR. JERISAT: Credit intern?

24 THE WITNESS: Intern. There was a few interns.

25 17:03 I'll get their names.

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1 17:03 MS. EWING: Okay.

2 THE WITNESS: That's Badawy.

3 MS. EWING:

4 Q. So we're at a minute 28.

5 17:03 A. Uh-huh.

6 Q. The man on the left, that's Mr. Badawy?

7 A. Yes.

8 Q. Okay.

9 And who's the gentleman on the right?

10 17:03 A. Hosny, Tamer's brother.

11 Q. Okay.

12 So you're pictured a few times, you know. This is
13 what you're talking about before, where you had worked
14 on and assisted with the video?

15 17:04 A. Say again.

16 Q. Strike that.

17 A. Okay.

18 Q. Is -- Strike that.

19 I don't know. I did ask you about one frame you

20 17:04 appear in the video.

21 A. Yeah, yeah, I am in the video.

22 MS. EWING: Okay. All right.

23 Those are the only videos that I was going to show
24 you. I just want to make sure that we were talking

25 17:05 about the same project. And that's all I have.

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1 17:05 MR. JERISAT: I have just a brief redirect -- or
2 recross. Okay.

3 Which exhibit is that, Counselor?

4 THE WITNESS: 1.

5 17:05 MR. JERISAT: Exhibit 1 and 6.

6 THE WITNESS: 1 and 6.

7

8 -EXAMINATION-

9

10 BY MR. JERISAT:

11 Q. Let me direct your attention to Exhibit 1.

12 There's a message here, "Just made you \$10,000," appears
13 from, allegedly, Badawy to you.

14 If you recall, what is the \$10,000 for in

15 17:05 Exhibit 1? We said -- Yeah, Exhibit 1, the plaintiff
16 Exhibit 1.

17 What is that for, if you recall?

18 A. This -- You know, they had a limit. Badawy had
19 a limit to get out cash, and he exceeded his limit, and

20 17:06 they wanted money even to pay for Akon or pay for
21 production. So they transferred money to Tamer Yehia,
22 and they transferred some of the money for my parents'
23 account to take care of the expenses, crew, anything
24 like that, as I mentioned.

25 17:06 Q. Okay.

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1 17:06 Did any of that money went to paying you for your
2 fees?

3 A. No, not even a penny.

4 Q. Were you paid for the project "Welcome to the
5 17:06 Life"?

6 A. Not even a penny, nothing, no.

7 Q. All right.

8 Directing your attention to Exhibit 6 here.

9 A. Uh-huh.

10 17:06 Q. Appears that there's a date on that exhibit.
11 What date is that?

12 A. March 12th, 2013.

13 Q. Okay.

14 And the project "Welcome to the Life," when was
15 17:06 that project shot -- or done?

16 A. That was in January. January 23rd.

17 Q. Approximately?

18 A. Approximately.

19 Q. Okay.

20 17:07 So would you say that March 12th, 2013, at that
21 time, the project "Welcome to the Life," was it still
22 going, or was that done?

23 A. It was done.

24 Q. Okay.

25 17:07 And is it -- Still looking at the Exhibit 6, if

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1 17:07 there were any money paid, was that paid to you as a fee
2 or compensation?

3 A. No. I never got paid any fee from Tamer
4 towards any project I did for him of all the four
5 17:07 projects.

6 Q. Well, just focus on "Welcome to the Life."

7 A. No.

8 Q. Okay.

9 You were asked about forwarding an agreement to
10 17:08 Tamer or Badawy -- or Badawy.

11 A. Uh-huh.

12 Q. Is it possible that you may have forwarded
13 something to them?

14 A. I can't remember forwarding Badawy any
15 17:08 agreement.

16 Q. Right, I understand.

17 But is it possible you may have forwarded
18 something -- some agreement to him you can't recall?

19 A. I can't recall.

20 17:08 Q. Okay.

21 A. I remember I sent to Akon an agreement, that's
22 for sure.

23 Q. Right.

24 But is it possible that you may have forwarded and
25 17:08 you don't recall?

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1 17:08 A. I don't recall.

2 MR. JERISAT: Okay.

3 No more questions.

4 MS. EWING: I have one follow-up to clarify.

5

6 -EXAMINATION-

7

8 BY MS. EWING:

9 Q. The "Welcome to the Life" project, the filming

10 17:08 in Atlanta completed in January 2013?

11 A. Uh-huh.

12 Q. But the project had filming in Miami as well;

13 isn't that correct?

14 A. In Miami, there's a -- pickup shots, beauty

15 17:09 shots that for -- for "Welcome to the Life" and other

16 purposes happen. It wasn't like the project was closed.

17 The project was closed that he going to shoot everything

18 in Egypt. But he stayed longer in Miami and decided to

19 have pickup shots, beauty shots, use it for "Welcome to

20 17:09 the Life" or any other project. It wasn't specifically

21 to "Welcome to the Life," even the whole -- it was a

22 beach scene. We wanted just beach scene, whether it's

23 for "Welcome to the Life" or any other project.

24 Q. So it wouldn't be correct that the project was

25 17:09 closed in January 2013 because there was more filming --

1 17:09 A. No, the project was closed in January.

2 Q. -- afterwards?

3 A. Like from the U.S. end. It was closed. The
4 rest was -- You know, the rest was something that Tamer
5 17:10 reopened.

6 But the main idea was filming Akon's part and
7 Tamer's part on Atlanta. Tamer felt that -- after felt
8 that he can add for footage. So he reopened the subject
9 of "Welcome to the Life." And even the footage did not
10 17:10 make it to the video -- to the final video.

11 Q. But there was filming for "Welcome to the Life"
12 after January?

13 A. Not specifically for "Welcome to the Life." We
14 did filming, beauty shots, and that Tamer decided this
15 17:10 would complete "Welcome to the Life." But it didn't
16 happen. They shot in Egypt "Welcome to the Life." What
17 was shot in Miami didn't make it to final project, not
18 "Welcome to the Life" or other project.

19 Q. You agree there was filming outside of the
20 17:10 United States after January 2013 for "Welcome to the
21 Life"?

22 A. We shot for Tamer, part of it was used for
23 "Welcome to the Life," but he decided not to -- we shot
24 it in general with Badawy's girlfriend as the model. It
25 17:11 was like, you know, last-minute beauty shots with Tamer

1 17:11 and Badawy's girlfriend on the beach and the footage
2 never made it to the final "Welcome to the Life"
3 footage.

4 Q. So are you saying you were in charge of that
5 17:11 project?

6 A. In charge?

7 Q. Yeah.

8 A. Because you're now telling me when -- you know,
9 you're the one that determined when it closed.

10 17:11 MR. JERISAT: Objection. That's misstating this
11 witness testimony. I think he stated, based on his
12 observation, he believed that the shooting to that video
13 or movie is done and that Tamer is the one who
14 decided --

15 17:11 THE WITNESS: He's the decision-maker, and I
16 followed the steps. He said it was closed, it was
17 closed. He wanted to shoot more for it or for other
18 projects. I'm helping him at the end.

19 MS. EWING:

20 17:11 Q. But there was talk made about Exhibit 6 and the
21 fact that date was March 12th, 2013, and you made the
22 statement that "Welcome to the Life" was done at that
23 point, but you also testified there was filming after
24 January 2013.

25 17:12 A. There was filming that did relate to the

1 17:12 "Welcome to the Life" song. They wanted to put the
2 footage, and they didn't put it.

3 Q. Well, whether they put it in the video or not,
4 there was filming?

5 17:12 A. Initially, beauty, initial. Miami was beauty.
6 Tamer was like, "Let's see. We use it for 'Welcome to
7 the Life,'" you know.

8 Q. But there was filming and it related to
9 "Welcome to the Life" after January 2013?

10 17:12 MR. JERISAT: Objection. Asked and answered. And
11 I think a mischaracterization of the testimony. I think
12 the term "shooting" or "continued to shoot" is some
13 technical term. I think that's where the confusion is.

14 MS. EWING:

15 17:12 Q. What's your understanding of when a project
16 closes?

17 A. When the client or the friend I'm helping told
18 me it's closed, then it's closed.

19 Q. Who told you it was closed?

20 17:12 A. Tamer closed everything that day. He shot
21 everything like that day. The original plan was to
22 finish everything.

23 Q. What day?

24 A. The day before the shoot, we decided to finish
25 17:13 everything.

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1 17:13 Q. The day before what shoot?

2 A. Before the shoot of "Welcome to the Life."

3 Q. When? What day?

4 A. What day was the shoot? I mean, you're asking

5 17:13 me about dates. I need to look at -- see what date

6 exactly was the shoot. You want exact date?

7 MR. JERISAT: You recall, if you recall.

8 MS. EWING: Yeah.

9 MR. JERISAT: If you don't --

10 17:13 THE WITNESS: I don't remember. I don't remember.

11 MS. EWING:

12 Q. So you don't remember when it closed?

13 A. The project closed after the shoot of the

14 video. Tamer said, "This is done." Okay.

15 17:13 Few days after, he reopened it. So he closed it

16 the day of the shoot. He said, "Okay. We're done.

17 This is it."

18 Q. The Atlanta portion of the shoot is what you're
19 talking about; right?

20 17:13 A. The original plan was finishing everything in

21 Atlanta. But when Tamer felt that -- You know, the

22 original plan was, you know, filming everything in

23 Atlanta. But when Tamer -- but end of the video felt

24 there's not enough footage, he said, "I'll shoot. I'll

25 17:14 finish it in Egypt." And he closed it there, you know.

1 17:14 Lebanon, he closed it there.

2 But, then, when we were in Miami, we were planning,
3 you know, for "Arabian Knight" as well. So he mentioned
4 that "If we have" -- "equipment are cheaper in Miami,

5 17:14 let's shoot it here. Let's shoot." So beauty shots
6 here. So he reopened the project.

7 Q. Okay.

8 A. Okay.

9 MR. JERISAT: Done?

10 17:14 MS. EWING: Yeah.

11 MR. JERISAT: We'll do the one oath.

12 So both parties stipulate that the Hutchings court
13 reporter will finish the transcripts, and those
14 transcripts, the original ones, will be transferred to
15 17:16 the two counsels of record, who will inform the
16 witnesses and have them review and sign and prepare any
17 errata sheets.

18 MS. EWING: I would say the stipulation regarding
19 the opportunity for the witnesses to read and sign goes
20 17:18 to the two depositions that were conducted today,
21 Mr. Badawy as well as Mr. Freitekh.

22 (A recess is taken.)

23 MR. JERISAT: So we stipulate that the originals in
24 both depositions shall be sent to counsel for that
25 witness and a copy shall be sent to opposing counsel.

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That's right?

MS. EWING: So stipulated.

(Whereupon the documents referred to are marked by
the reporter as Plaintiff Exhibits 1 through 12 for
identification.)

(The proceedings concluded at 5:18 p.m.)

I declare under penalty of perjury under the laws
of the State of California that the foregoing is true
and correct.

Executed at _____, California,
on _____.

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1 I, Diane M. Lytle, CSR 8606, do hereby declare:

2 That, prior to being examined, the witness named in
3 the foregoing deposition was by me duly sworn pursuant
4 to Section 30(f)(1) of the Federal Rules of Civil
Procedure and the deposition is a true record of the
testimony given by the witness.

5 That said deposition was taken down by me in
6 shorthand at the time and place therein named and
thereafter reduced to text under my direction.

7 _____ That the witness was requested to review the
8 transcript and make any changes to the
9 transcript as a result of that review
pursuant to Section 30(e) of the Federal
Rules of Civil Procedure.

10 _____ No changes have been provided by the witness
11 during the period allowed.

12 _____ The changes made by the witness are appended
to the transcript.

13 _____ No request was made that the transcript be
14 reviewed pursuant to Section 30(e) of the
Federal Rules of Civil Procedure.

15 I further declare that I have no interest in the
16 event of the action.

17 I declare under penalty of perjury under the laws
18 of the United States of America that the foregoing is
true and correct.

19 WITNESS my hand this _____ day of

20 _____, _____.

21 _____
22 Diane M. Lytle, CSR 8606
23
24
25

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Tarek

Details

They're getting really nervous

Jan 23, 2013, 11:26 AM

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Charlotte north Carolina 28277

Freitekh is the last name . Thank you

Just made u \$10K

Trying to make another 1 but looks
like I exceeded the daily transfer limit
I will try to figure something else

Jan 24, 2013, 10:59 AM

1676 defoor Cir nw Atlanta, ga at 6
pm

Clothes?

It doesn't matter they are just
practicing

Mar 7, 2013, 12:06 AM

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paper but we will talk tomorrow
Inshalah

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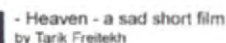
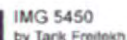
EXHIBIT 1
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15



EXHIBIT 2
REPORTER D. Lytle
DEPONENT T. Freitekn
DATE 5-22-15

Sign in

by Tarik Freitekh • 2/3



Tarik Freitekh



Like

About

Sharo

Add to

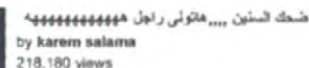
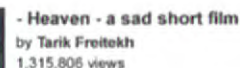
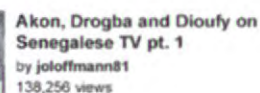
102.317

49

9

Published on Dec 27, 2012

Superstar Akon with Director Tarik Freitekh talking about their upcoming project with the best artist in africa Tamer Hosny

[Show more](#)

Akon on the painful sacrifices of fame & money

by mycomeup

1:41 382,842 views

لقاء رفا مسخرة في راديو ميخاف ام برناتج
صباحك احلي مع بيومي الجزء 1

by Rana Samaha

14:54 8,523 views

akon

61
upvotes

"Smile" Official Music video
Tamer Hosny Ft Shaggy H.D. 

by Amr Tarek

7:04 19,303 views

مستقبل فرس، توقيت HD - الحلقة الأولى (1) -

Tamer Hosny / تامر حسني

by Tamer Hosny

40-43 1,355,113 views

EXHIBIT 3
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

Upload
Sign in

Top comments

CTExpo2012 1 year ago

I love Akon

Kamal Hmood 1 year ago

TAMER I LOVE U ... HOPE TO U ALL THE BEST :) AKON I LOVE YOU TOO .. AND THE CREATOR TARIK FREITEKH <3

Sabri Abwini 1 year ago

oooooooooooooh temo sho 3azeem wallahe b7bk tamer ya rb nshofk akbr mn kda bkteeer :D bn7bk awee ya tamer mt5fsh kolena ma3aaak :) tamer fans in jordan

ReBazTelMo 1 year ago

We are both tamer & akon & tarik thanks

Khaled Hamdi 1 year ago

Knt Nfssi Mn Zaman Awii N Tamer Y3mi Duo M3 Akon :) <3 isa Haeb2a project Gamed Awii ... W Na b7bk Awii Ya Taro2 :)

UnknownGamers 1 year ago

The director is my fav show , we love you Tank

Ezz Eldin Elshamy 1 year ago

Yeaaaaah :-D aywa ba2a

Eimo Oo 1 year ago

woow TaMer is the best in the east . Waiting

stove kai 1 year ago

Great tarik... old friend back home :)

سلمان عبده سلمان 1 year ago

من نجاح لنجاح الترحم تامر حسني

All Refaat 1 year ago in reply to UnknownGamers

where can i watch it

arabia 11 months ago

والله ملهنا من الانتظار ومازل حاجة

Ahmed Sobhi 1 year ago

tamer hosny and akon

Nam Heeta 9 months ago

ilove Tank

4:14

Tomorrow / Bokra Official Video -
 الأغنية بكرة
 by TomorrowBokra
 8:27 10,031,204 views

5:13

Arabian Knight . Tamer Hosny ft Pitbull & Akon
 by khaled habib
 4:26 85,168 views

4:26

Tamer Hosny - Ana Ganbek (Master .Q) / أنا جنبك - تامر حسني
 by Tamer Hosny
 3:40 338,247 views

3:40

Pitbull Trio Track ft Akon, Tamer Hosny Arabian Knight New Song)
 by Ahmad Elsaed Elbamby
 5:36 53,486 views

5:36

Tamer hosny Best African Artist (African music Awards 2010)
 by TamerHosniTV
 5:36 74,758 views

5:58

الأغنية welcome to the life تامر حسني
 وايتون اهداه لـ ابنته تاليه
 by Taliya tamerhosny
 3:43 29,815 views

3:43

mohamed hamaki ahla haga feeki
 by sambina599
 5:30 192,946 views

5:30

Phil Collins - True Colours (HD) Paris 2004
 by Eddie Riyadi
 5:30 871,436 views



EXHIBIT 4
REPORTER D. Lytle
DEPONENT I. Freitekh
DATE 5-22-15











EXHIBIT 5
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

 Messages (2)

Tarek

Details

Also Habiby that's my account
number Hossam just called me

053000196

~~2370243~~14516

Just transferred
Check ur account

Do you work with the bank lol

That was the quickest transfer ever

Mar 12, 2013, 2:00 PM

Can I take the waitress aside and ask
her to split mine and Alina's bill so I
don't feel embarrassed?

Come on man they invited all of us

I told then yesterday that tamr cousin
is coming

They said sure

U r sure?

100%

Hani is one of the richest people in



EXHIBIT 6
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

Print

Close

Fwd: agreement

From: **Tamer** (tamerstudio@gmail.com)
Sent: Sat 2/23/13 9:55 PM
To: abadawy78@hotmail.com
1 attachment
Side Artist Agreement.docx (158.3 KB) ,

Sent from my iPhone

Begin forwarded message:

From: "Tarik Freitekh" <toh@usa.com>
Date: February 23, 2013 10:02:15 PM EST
To: Tamer <tamerstudio@gmail.com>
Subject: agreement

EXHIBIT 7
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

Side Artist Agreement

Agreement executed this 22nd day of February, 2013, by and between Akon Inc., f/s/o Aliaune Thiam p/k/a Akon ("Side Artist") representing himself and his artist Christopher Brown p/k/a Chris Brown c/o P.O.Box 191188 Atlanta, GA 31119, and Tamer Hosny Production professionally known as "Tamer" ("Artist") in connection with Artist's recording agreement with **Tamer Hosny Production**. WHEREAS, Side Artist is to record and perform with Artist on a sound recording featuring the performances of Artist entitled (the "Master") for possible inclusion on Artist's forthcoming album (the "Album");

WHEREAS, Side Artist is subject to an exclusive recording artist agreement with Sony Music Entertainment ("Label"); Side Artist has consented to the Agreement made herein and will provide Artist with reasonable assistance to obtain the a side artist waiver from Label ("Label Waiver"), if required.

NOW, THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:

1. (a) Side Artist shall perform, and provide first-class, non-exclusive services as a recording artist and musician for the purpose of recording the Master.
(b) All of Artist's rights under this Agreement, and all of Side Artist's obligations are subject to and conditioned upon Artist obtaining the Label Waiver, and all are subject to the terms of such waiver, provided Side Artist will not be adversely affected thereby.
2. (a) Side Artist hereby acknowledges and agrees that, subject to the terms of this Agreement, the Master including all performances contained thereon and all copyrights therein, shall be the sole property of Artist and its designees, for all purposes and uses under copyright and otherwise, throughout the universe and in perpetuity (except for the underlying musical composition). Side Artist's contribution to the Master (excluding Side Artist's contribution to the underlying musical composition, if any) shall be a work made for hire for Artist within the meaning of the U.S. Copyright Law and if for any reason such contribution is not deemed a work made for hire then the copyright in such contribution shall be deemed irrevocably assigned to Artist and its designees. To the extent permitted by law but subject to the terms hereof, Side Artist hereby waives all so-called "moral rights." All recordings made hereunder and all derivatives manufactured there from together with the performances embodied thereon shall be entirely and forever the property of Artist, free of any claims whatsoever by Side Artist or Label, or any person deriving any rights or interests from Side Artist or Label.
(b) The portions of the musical composition embodied on the Master which are written or are

SunTrust Bank Acct number: [REDACTED] 88766 ABA/Routing:
061000104 Swift code: SNTRUS3A

5. Artist hereby acknowledges and agrees that Side Artist is a "Featured Artist" pursuant to the Digital Performance Right in Sound Recording Act of 1995 (DARP) and the Digital Millennium Copyright Act of 1998 (DMCA) and entitled to a pro rata share of the so-called "Featured Artist" share of SoundExchange monies associated with the Master. Upon request, Artist will provide and deliver to Side Artist such additional documents attached hereto as Exhibit A, as necessary to evidence and effectuate Side Artist's rights hereunder.
 6. Side Artist and Artist each warrant and represent that each party has the full right to enter into this agreement and each party represents that, as to each parties' contributions, no rights of third parties shall be infringed upon (including, without limitation, samples) and grant all of the rights set forth above to the other party as set forth herein. In the event of any third party claims against Side Artist, Label or Artist relating to breach of the foregoing warranties, the non-breaching party shall be fully indemnified by the breaching party (including reasonable outside attorneys fees) with respect to any third party claims resulting in final non-appealable, adverse judgments. Each party shall notify the other party of any such third party claims.
 7. Side Artist and Label warrant and represent that the payments and consideration specified herein shall be comprehensive. Except as expressly provided herein to the contrary, Artist shall have no monetary or other obligation whatsoever to Side Artist, Label, or any other party, for or in connection with this agreement or services performed hereunder by Side Artist, or exercise of the rights granted hereunder.
 8. Artist shall maintain books of account concerning the sale, distribution and exploitation of the Master and concerning publishing income earned or received hereunder. Artist shall render accountings to Side Artist within sixty (60) days after Artist receives the applicable statement and payment (or credit) from **Tamer Hosny Production** A Certified Public Accountant, chosen by Side Artist, may, at Side Artist's sole expense, examine and copy Artist's said books relating to the subject matter hereof, during normal business hours and upon reasonable written notice.
 9. This agreement shall be governed by the laws of the State of Georgia. The parties agree that the exclusive jurisdiction and venue for any action relating to this Agreement shall be a federal or state court in Atlanta and the parties hereby consent to such jurisdiction and venue.
 10. All notices to be given by either party hereunder shall be in writing and shall be delivered by hand or sent by certified mail, postage prepaid, return receipt requested, to the address of each party as first set forth above until notice of a new address shall be duly given in writing.
- If the foregoing is consistent with your understanding the agreement between the parties, please so indicated by signing in the space indicated below.

ACCEPTED AND AGREED:

By: _____

Alliaune Thiam (Akon)

By: _____

Tamer Hosny

EXHIBIT A

SOUND EXCHANGE, INC. LETTER OF DIRECTION

Solely as a service and accommodation to those featured artists entitled to royalties under 17 U.S.C. § 114(g)(2)(D) who specifically authorize SoundExchange to collect and distribute royalties on their behalf, SoundExchange permits such featured artists to designate that a percentage of the royalties due them from SoundExchange relating to certain sound recordings be remitted to creative personnel credited or recognized publicly for the commercially released sound recording on which the featured artist performs or other usual and customary royalty participants in such sound recording.

To make such a designation, the featured artist submitting this Letter of Direction must submit to

SoundExchange a (1) Designation & Authorization for Featured Artist and (2) completed Internal Revenue Service ("IRS") Form W-9 Request for Taxpayer Identification Number and Certification. Please note that a featured artist need not execute this Letter of Direction in order to be paid statutory royalties by SoundExchange.

Name of Featured Recording Artist ("Artist"): Artist's SoundExchange ID Number (if known): Name of Payee ("Payee"): Aliaune Thiam p/k/a Akon

Payee Address: Payee Telephone Number: Payee Fax Number: Payee E-Mail: Payment Percentage ("Percentage"): [] %

X New Letter of Direction ___ Amendment Revoking ___ Previous Letters of Direction

By signing this Letter of Direction and submitting it to SoundExchange, Artist agrees as follows:

1. Artist represents and warrants that Artist is the featured recording artist who performed on the sound recording(s) identified on the "Repertoire Chart" attached hereto as Schedule I (the "Recordings").
2. Artist represents and warrants that Payee is an individual credited or recognized publicly for the commercially released sound recording identified on the Repertoire Chart or is an other usual and customary royalty participant in such sound recording.
3. Artist requests and authorizes SoundExchange to pay to and in the name of Payee an amount equal to Percentage of the royalties otherwise payable by SoundExchange to Artist in respect of the Recordings, thereby reducing the payments from SoundExchange to Artist. If the box above labeled "Amendment Revoking Previous Letters of Direction" has been checked or if a previous "Royalty Distribution Information for Featured Artist" or other letter of direction has been provided to SoundExchange that conflicts with this Letter of Direction, then any and all previous letters of direction or similar documents conflicting herewith are hereby revoked.
4. All monies becoming payable under this Letter of Direction shall be remitted to Payee at the address identified above or as Payee otherwise directs SoundExchange in writing. If SoundExchange requires additional information (e.g., Payee tax information) to remit payments under this Letter of Direction, then Artist and Payee shall be responsible for providing SoundExchange with such information promptly. To the extent SoundExchange is not provided with sufficient or correct information to remit payment to Payee, or checks mailed to Payee's last known address are returned, SoundExchange may hold the monies pending receipt of such information or pay the royalties to Artist.
5. SoundExchange will honor a written revocation by Artist of the designation made by this Letter of Direction. In the event of such a revocation, SoundExchange may, but need not, mail notice of the revocation to the last known address of Payee. The foregoing is without prejudice to any other contractual arrangements between Artist and Payee requiring payment of the Percentage by Artist. SoundExchange has no responsibility for Artist's performance or nonperformance of any such obligation.
6. SoundExchange may discontinue making payments under this Letter of Direction at any time, including if checks mailed to Payee's last known address are returned, Artist ceases to be a member of SoundExchange, or SoundExchange modifies its policies concerning letters of direction. If it does so, then SoundExchange may, but need not, mail notice thereof to the last known address of Artist and Payee, and monies that otherwise would have been payable under this Letter of Direction will be paid to Artist.
7. Artist acknowledges that SoundExchange is providing payments to Payee solely as an accommodation to Artist but that all royalties distributed by SoundExchange to Payee are taxable to Artist. Artist shall be solely responsible for providing Payee with tax paperwork required by any governmental agency, including the Internal Revenue Service, and SoundExchange shall have no obligation to provide such information to Payee.
8. SoundExchange may rely conclusively, and shall have no liability when acting, upon any written notice, instruction, other document or signature that is reasonably believed by SoundExchange to be genuine and to be authorized by Artist. SoundExchange shall not be responsible for failure to act as a result of causes beyond the reasonable control of SoundExchange. SoundExchange shall not be liable to Artist, Payee or to any third party for, and Artist agrees to defend (with counsel satisfactory

to SoundExchange), indemnify and hold harmless SoundExchange from, any damages or loss (including reasonable attorney's fees) in any way related to this Letter of Direction, unless such loss is caused by

SoundExchange's gross negligence or willful misconduct. The provisions of this Paragraph 8 shall survive the revocation or other termination of this Letter of Direction.

9. This Letter of Direction shall be governed by and construed in accordance with the substantive laws of the District of Columbia. Any dispute relating to or arising from this Letter of Direction shall be subject to the exclusive jurisdiction of courts sitting in the District of Columbia.

ACKNOWLEDGED AND ACCEPTED BY:

Artist: Signature: _____

Printed Name:

Address:

Date ___, 2013

Return the original of this form to: SoundExchange, Inc. 1121 Fourteenth Street NW, Suite 700
Washington, DC 20005

Or fax to: 202.640.5859

If you have questions, please call 202.640.5858 or E-mail info@soundexchange.com.

Album Title
Record Label
Catalog Number
Release Date

Fw: scanned receipts

From: **Tarik Freitekh** (toh@usa.com) This sender is in your safe list.
Sent: **Tue 4/09/13 2:03 AM**
To: **AHMED BADAWEY** (abadawy78@hotmail.com)
2 attachments
scan_00113.jpg (537.2 KB) , scan_00112.jpg (443.1 KB)

----- Original Message -----

From: izzat fritekh
Sent: 04/08/13 05:59 PM
To: Tarik Freitekh
Subject: scanned receipts

Kind Regards,
Tarik
Tarik@tarikfreitekh.com
T: 1-704-699-9725
F: 1-888-205-8827
Facebook: www.facebook.com/TarikFreitekh

EXHIBIT 8
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15



Thank you for banking with SunTrust
For Account information call 800.SunTrust (800.786.8787)

DEPOSIT AMOUNT : \$ 25,000.00
ACCOUNT NUMBER : xxx-xxxx-8766

BUS DATE : 02/08/2013 10:45AM

BATCH ID: 876532

This is your receipt showing bank, date , time , type of account and amout.
All deposits are credited to your account subject to verification and final payment

101629 (5/07)



Thank you for banking with SunTrust
For Account information call 800.SunTrust (800.786.8787)

DEPOSIT AMOUNT: \$ 25,000.00
ACCOUNT NUMBER: XXXX-XXXX-8766

BUS DATE: 02/09/2013 09:55 AM

BATCH ID: 575434

829 (5/07)

This is your receipt showing bank, date, time, type of account and amount.
All deposits are credited to your account subject to verification and final payment

Side Artists Agreement

From: AHMED BADAWY (abadawy78@hotmail.com)
Sent: Sun 3/10/13 9:57 PM
To: toh@usa.com (toh@usa.com)
Cc: tamerstudio@gmail.com (tamerstudio@gmail.com)
I attachment
Side Artist Agreement.docx (17.1 KB)

EXHIBIT 9
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

Fw:

From: **Tarik Freitekh** (toh@usa.com)
Sent: Mon 3/11/13 9:54 PM
To: AHMED BADAWY (abadawy78@hotmail.com)
1 attachment
Side Artist Agreement.pdf (2.6 MB)

----- Original Message -----

From: Aliaune Thiam

Sent: 03/11/13 05:37 PM

To: toh@Usa.com

AKON
"STADIUM ALBUM"
Coming Soon!!!!!!!!!!!!!!

Kind Regards,
Tarik
Tarik@tarikfreitekh.com
T: 1-704-699-9725
F: 1-888-205-8827
Facebook: www.facebook.com/TarikFreitekh

Side Artists Agreement

Agreement executed this 10th day of March, 2013, between Akon Inc., c/o Atlantic, 11119, between Akon Inc., c/o Atlantic, 11119, and Tamar Hony, professionally known as "Tamar" ("Artist"), WHEREAS Side Artists is to record and perform with Akon on a sound recording featuring the performances of Artist entitled (the "Master") for possible inclusion on Artist's forthcoming album (the "Album").

NOW, THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS

1. Side Artists shall perform, and provide first-class, non-exclusive services as a recording artist and musician for the purpose of recording the Master.
2. Side Artists hereby acknowledges and agrees that, subject to the terms of this Agreement, the Master including all performances contained therein and all copyrights therein, shall be the sole property of Artist and its designees. For all purposes and uses under copyright and otherwise, throughout the universe and in perpetuity (including the underlying musical composition), Side Artists' contribution to the Master (including Side Artists' contribution to the underlying musical composition, if any), shall be deemed a work made for hire for Artist within the meaning of the U.S. Copyright Law and if for any reason such contribution is not deemed a work made for hire then the copyright in such contribution shall be deemed to have been assigned to Artist and its designees. To the extent permitted by law but subject to the terms hereof, Side Artists hereby waives all so-called "moral rights." All recordings made hereunder, and all derivatives manifested there from together with the performances embodied therein shall be entirely and forever the property of Artist, free of any claims (including royalty) whatsoever by Side Artists, or any person deriving any right or interest from Side Artists.
3. Consideration agreed for the services provided in this agreement is USD 300,000 (Three Hundred Thousand United States Dollars), of which a down-payment of USD 50,000 (One Hundred and Fifty Thousand United States Dollars) shall be provided to the Artist's bank account as follows:
ALIAUNE THIAM P.O. BOX 191198 ATLANTA, GA 31119 Bank: SunTrust Bank Acct number: 1000136788766 ABA/Routing: 061000104 SWIFT code: SNTRUS33
4. Subject to the terms of this agreement, Side Artists shall, at no extra cost, perform in the Master video of the Master. A Penalty of USD 225,000 (Only Two Hundred and Twenty Five Thousand United States Dollars) will be imposed on Side Artists in case of not performing in the Master video.
5. Side Artists and Artist each warrant and represent that each party has the full right to enter into this agreement and each party represents that, as to each party's contributions, no rights of third parties shall be infringed or violated (including without limitation, samples) and grant all of the rights set forth above to the other party as set forth herein. In the event of any third party claims against Side Artists, Label or Artist relating to breach of the foregoing warranties, the non-breaching party shall be fully indemnified by the breaching party (including reasonable outside attorney's fees) with respect to any third party claims resulting in final non-appealable, adverse judgments. Each party shall notify the other party of any such third party claims.
6. This agreement shall be considered terminated and all considerations made shall be refunded, in full, to the Artist in any of the following events (whichever comes first):
(a) A written termination notice by any of the parties to this agreement.
(b) If the services required by the Artist and described in this agreement were not fully performed within 30 days of the date of this agreement.
7. This agreement shall be governed by the laws of the State of Georgia. The parties agree that the exclusive jurisdiction and venue for any action relating to this Agreement shall be a federal or state court in Atlanta and the parties hereby consent to such jurisdiction and venue.

ACCEPTED AND AGREED

By:  Akon

By:  Tamar Hony

(No Subject)

From: **Tarik Freitekh** (toh@usa.com) This sender is in your safe list.
Sent: Tue 4/09/13 10:43 AM
To: AHMED BADAWEY (abadawy78@hotmail.com)
1 attachment
scan_02.pdf (57.4 KB)

Kind Regards,
Tarik
Tarik@tarikfreitekh.com
T: 1-704-699-9725
F: 1-888-205-8827
Facebook: www.facebook.com/TarikFreitekh

EXHIBIT 10
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15



Thank you for banking with SunTrust
For Account information call 800.SunTrust (800.786.8787)

DEPOSIT AMOUNT: \$ 100,000.00
ACCOUNT NUMBER: XXXX-XXXXX-8766

EL'S DATE: 04/01/2013 12:55 PM

BATCH ID: 100100

This is your receipt showing bank, date, time, type of account and amount.
All deposits are credited to your account subject to verification and final payment

0182915/07)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TAMER HOSNY,

Plaintiff,

vs.

ALIAUNE THIAM, P/K/A "AKON," and
TARIK FREITEKH,

Defendants.

Case No. 1:13-CV-4103

DECLARATION OF TARIK FREITEKH PURSUANT TO 28 U.S.C. §1746

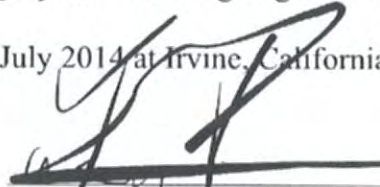
1. I have personal knowledge of the facts set forth herein, and, if called to testify, could and would testify competently thereto.
2. At all times relevant to this action, I have been a resident of North Carolina until June 2013, when I moved to California.
3. At all times relevant to this action, I have maintained a business address at 3343 North Knoll Drive, Los Angeles, CA 90068.
4. I have never been a citizen or resident of Georgia.
5. I have never owner, rented, or leased property in Georgia.
6. I have never maintained an account with any financial institution in Georgia.
7. I have never paid taxes or voted in Georgia.
8. I have never been listed in any telephone, business or other informational directory in Georgia, or maintained a personal office or personal telephone number in Georgia.
9. I have never been present in Georgia.

EXHIBIT 11
REPORTER D. Lytle
DEPONENT T. Freitekh
DATE 5-22-15

10. I have never done business in Georgia.
11. I have never received any income from any Georgia business or person.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 25th day of July 2014 at Irvine, California.



Tarik Freitekh

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TAMER HOSNY,

Plaintiff,

vs.

ALIAUNE THIAM, P/K/A "AKON," and
TARIK FREITEKH,

Defendants.

Case No. 1:13-CV-4103

AMENDED DECLARATION OF
TARIK FREITEKH PURSUANT TO 28 U.S.C. §1746

1. I have personal knowledge of the facts set forth herein, and, if called to testify, could and would testify competently thereto.
2. At all times relevant to this action, I have been a resident of North Carolina until June 2013, when I moved to California.
3. At all times relevant to this action, I have maintained a business address at 3343 North Knoll Drive, Los Angeles, CA 90068.
4. I have never been a citizen or resident of Georgia.
5. I have never owner, rented, or leased property in Georgia.
6. I have never maintained an account with any financial institution in Georgia.
7. I have never paid taxes or voted in Georgia.
8. I have never been listed in any telephone, business or other informational directory in Georgia, or maintained a personal office or personal telephone number in Georgia.
9. I travelled to Georgia in or about January 2013 to record a music video,

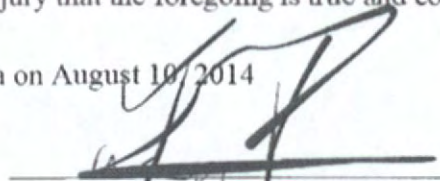
Welcome to The Life, with Defendant Akon and Plaintiff Hosny, in Atlanta, Georgia.

10. I was not paid for my work on the music video, Welcome to The Life.

11. I did not discuss the Arabian Knight project, the subject of this lawsuit, with Akon or Hosny during my visit to Georgia.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in California on August 10, 2014



Tarik Frejtek

